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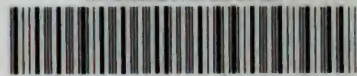
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**LAWS**  
*J. Campbell*  
**OF**  
**THE UNITED STATES OF AMERICA,**

**FROM**

**THE 4th OF MARCH, 1789, TO THE 4th OF MARCH, 1813,**

**INCLUDING**

**THE CONSTITUTION OF THE UNITED STATES, THE OLD ACT OF  
CONFEDERATION, TREATIES,**

**AND MANY OTHER VALUABLE ORDINANCES AND DOCUMENTS;**

**WITH**

**COPIOUS NOTES AND REFERENCES.**

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**ARRANGED AND PUBLISHED UNDER THE AUTHORITY OF AN ACT OF CONGRESS.**

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**IN FIVE VOLUMES.**

**VOL. IV.**

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**PUBLISHED BY**

**JOHN BIOREN AND W. JOHN DUANE, PHILADELPHIA, AND  
R. C. WEIGHTMAN, WASHINGTON CITY.**

**1816.**



**DISTRICT OF COLUMBIA, TO WIT:**

**BE IT REMEMBERED**, That on this twenty-third day of October, in the year of our Lord eighteen hundred and fifteen, and of the independence of the United States the fortieth, John Bioren and W. John Duane of Philadelphia, and R. C. Weightman of Washington City, have deposited in the clerk's office of the United States' district court for the District of Columbia, the title of a book, the right whereof they claim as proprietors and publishers, and more especially the right to the manner in which the work is arranged, the marginal notes, references, and illustrations, the indices to each volume, and the general digested index to the whole, to wit: "Laws of the United States of America, from the fourth of March, seventeen hundred and eighty-nine, to the fourth of March, eighteen hundred and fifteen, including the constitution of the United States, the old act of confederation, treaties, and many other valuable ordinances and documents; with copious notes and references. Arranged and published under the authority of an act of congress. In five volumes." In conformity to the act of the congress of the United States, entitled "An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned;" and also to an act, entitled "An act supplementary to an act, entitled 'An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned, and extending the benefits thereof to the arts of designing, engraving, and etching, historical and other prints.'"

In testimony whereof, I, George Deneale, clerk of the said court, have here-  
[SEAL.] to set my hand and affixed the seal of my office, the date above mentioned

**G. DENEALE, Ck. of the Dis. Court.**

# ACTS OF THE NINTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE FIRST SESSION, WHICH WAS BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE 2D OF DECEMBER, 1805, AND ENDED ON THE 21ST OF APRIL, 1806.

Thomas Jefferson, President. George Clinton, Vice President, and President of the Senate. Samuel Smith, President of the Senate, pro tempore, on the 11th of December, and from the 28th of March. Nathaniel Macon, Speaker of the House of Representatives.

CHAP. 1. [I.] An act making an additional appropriation for the naval service, during the year one thousand eight hundred and five.\*

1805.

[\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, in addition to the sum heretofore appropriated for that object, the sum of two hundred and fifty thousand dollars be, and the same hereby is, appropriated towards defraying the expenses of the navy of the United States, during the year one thousand eight hundred and five.

250,000 dolls. additional appropriated towards defraying the expenses of the navy during 1805.

SECT. 2. *And be it further enacted,* That the aforesaid sum shall be paid, first, out of the moneys accruing, at the end of the year one thousand eight hundred and five, from the duties laid by the act, passed on the twenty-fifth day of March, one thousand eight hundred and four, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers;"† and, secondly, out of any moneys in the treasury not otherwise appropriated.

The sum appropriated to be paid out of the duties laid by the act mentioned, and out of unappropriated moneys.

[† Chap. 39, vol. 3.]

[Approved, December 11, 1805.]

CHAP. 2 [II.] An act supplementary to the "Act making provision for the payment of claims of citizens of the United States on the government of France, the payment of which has been assumed by the United States, by virtue of the convention, of the thirtieth day of April, one thousand eight hundred and three, between the United States and the French Republic."‡

[‡ See orig. act, of 10th Nov. 1803; chap. 356, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the balance of the appropriation of three millions seven hundred and fifty thousand dollars, made by the act to which this is a

The balance of the appropriation of 3,750,000 dolls. made for the payment of claims of citizens on the gov-

1805-6.

ernment of  
France, remain-  
ing unexpended  
on the 31st of  
December, 1805,  
not to be carried  
to the credit of  
the surplus  
fund, &c.

supplement, which may remain unexpended on the thirty-first of December, one thousand eight hundred and five, shall not be carried to the credit of the surplus fund, but shall remain appropriated to the same purpose for which it was originally appropriated, any act to the contrary notwithstanding.

[Approved, December 31, 1805.]

[\* Obsolete,]

CHAP. 3. [III.] An act making an additional appropriation to supply the deficiency in the appropriation for the naval service, during the year one thousand eight hundred and five.\*

A further sum  
of 350,000 dolls.  
appropriated for  
supplying the  
deficiency in the  
appropriation  
for the naval  
service during  
1806.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for supplying the deficiency in the appropriation for the naval service, during the year one thousand eight hundred and five, the further sum of three hundred and fifty thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, be, and the same hereby is, appropriated.

[Approved, January 22, 1806.]

CHAP. 4. [IV.] An act to provide for lighthouses in Long Island Sound; and to declare Roxbury, in the state of Massachusetts, to be a port of delivery.

The secretary  
of the treasury  
to cause a light-  
house to be er-  
ected on Watch  
Hill Point, and  
one on Sands'  
or Watch Point;  
appoint keepers,  
&c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury shall be, and he hereby is, authorized and required to cause two good and sufficient lighthouses to be erected in Long Island Sound, one to be placed on Watch Hill Point, in the town of Westerly, and state of Rhode Island, and the other on Sands's or Watch Point, in the town of North-ampsted, on Long Island, in the state of New York, and to appoint the keepers of the said lighthouses, (under the direction of the president of the United States,) and otherwise provide for such lighthouses, at the expense of the United States: *Provided,* That sufficient land, for the accommodation of such lighthouses, can be obtained at a reasonable price, and the legislatures of Rhode Island and New York shall cede the jurisdiction over the same to the United States.† And a sum, not exceeding six thousand dollars, is hereby appropriated for the purpose of defraying the expense of erecting the said lighthouses, to be paid out of any moneys in the treasury, not otherwise appropriated.

Proviso; if land  
can be obtained  
at a reasonable  
price, and the  
legislatures of  
Rhode Island  
and New York  
cede the jurisdic-  
tion, &c.

[† See page 667,  
vol. 1.]  
Not exceeding  
6,000 dolls. ap-  
propriated for  
defraying the  
expense, &c.  
The secretary  
of the treasury  
to cause the  
lighthouses to  
be constructed  
so as to be dis-  
tinguished, &c.

SECT. 2. *And be it further enacted,* That it shall be the duty of the secretary of the treasury to cause the said lighthouses so to be constructed, that their lights, on being discovered, may with certainty be distinguished from those of all other lighthouses heretofore erected in their neighborhood.

Roxbury to be  
a port of deliv-  
ery, and annexed

SECT. 3. *And be it further enacted,* That the town or land-  
ing place of Roxbury, in the state of Massachusetts, shall be a  
port of delivery, to be annexed to the district of Boston and



Charlestown, and shall be subject to the same regulations and restrictions as other ports of delivery in the United States.\*

[Approved, January 22, 1806.]

1806.

to the district of Boston and Charlestown, &c.

[\* See sec. 2, Chap. 123, page 137, vol. 3.]

CHAP. 5. [V.] An act making provision for defraying any extraordinary expenses attending the intercourse between the United States and foreign nations.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That a sum of two millions of dollars be, and the same is hereby, appropriated towards defraying any extraordinary expenses which may be incurred in the intercourse between the United States and foreign nations, to be paid out of any money in the treasury, not otherwise appropriated, and to be applied under the direction of the president of the United States, who shall cause an account thereof to be laid before congress as soon as may be.

2,000,000 dollars, appropriated towards defraying any extraordinary expenses that may be incurred in the intercourse between the United States and foreign nations, &c.

The president to cause an account of the money to be laid before congress.

SECT. 2. *And be it further enacted,* That the president of the United States be, and hereby is, authorized, if necessary, to borrow the said sum, or any part thereof, in behalf of the United States, at a rate of interest not exceeding six per centum per annum, redeemable at the will of the congress of the United States. And it shall be lawful for the bank of the United States to lend the whole, or any part, of the same.‡

The president authorized to borrow the money, at an interest not exceeding 6 per cent. &c.

SECT. 3. *And be it further enacted,* That so much as may be necessary of the surplus of the duties on imports and tonnage, beyond the permanent appropriation heretofore charged upon them, by law, shall be, and hereby is, pledged and appropriated for the payment of the interest, and reimbursement of the principal, of all such moneys as may be borrowed in pursuance of this act, according to the terms and conditions on which the loan or loans may be effected.

[‡ See page 198, vol. 2.]

Surplus of duties, &c. pledged, &c. for the payment of interest and principal of the moneys borrowed, &c.

[Approved, February 13, 1806.]

CHAP. 6. [VI.] An act making a further appropriation for the support of a library.§

[§ See act of 26th Jan. 1803; sec. 6, chap. 303, vol. 3; and act of 6th Dec. 1811; chap. 326, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, in addition to the unexpended balance of the former appropriation made to purchase books for the use of congress, which is hereby revived and continued, there shall be appropriated the sum of one thousand dollars yearly, for the term of five years; to be paid out of any moneys in the treasury not otherwise appropriated, and expended under the direction of a joint committee, to consist of three members of the senate and three members of the house of representatives, to be appointed every session of congress, during the continuance of this appropriation.

1,000 dollars yearly, for five years, appropriated to purchase books for the use of congress, &c.

The money to be expended under the direction of a joint committee, &c.

[Approved, February 21, 1806.]

1806.

[\* See act of 3d March, 1799; ch. 200, vol. 2.]

So much of the 4th sec. of the act mentioned, as imposes the condition of actual settlement, repealed.  
[7 Chap. 200, vol. 2.]

Where patents have been issued in conformity with the 4th section referred to, the conditions, &c. to be complied with, null and void, &c.

CHAP. 7. [VII.] An act to repeal, in part, the fourth section of an act, entitled "An act to authorize a grant of lands to the French inhabitants of Gallipolis; and for other purposes therein mentioned."\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That so much of the fourth section of an act, entitled "An act to authorize a grant of lands to the French inhabitants of Gallipolis, and for other purposes therein mentioned,"† as imposes the condition of an actual settlement on the said inhabitants, or any of them, their heirs or assigns, be, and the same is hereby, repealed. And in every case where a patent has issued, in conformity with the said fourth section, to any of the inhabitants aforesaid, their heirs or assigns, the conditions aforesaid, inserted in any such patent, shall be considered null and void; and the fee simple be vested, to all intents and purposes, in the person to whom such patent has been issued, his or her heirs or assigns.

[Approved, February 21, 1806.]

[‡ Obsolete.]

CHAP. 8. [VIII.] An act for the relief of the governor, secretary, and judges, of the late territory of the United States northwest of the river Ohio.‡

The accounting officers of the treasury directed to settle, at the rate of compensation established, the accounts of the governor, secretary, and judges, of the late territory northwest of the Ohio, for their services, while acting in those capacities, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officers of the treasury be, and they hereby are, authorized and directed to settle, at the rate of compensation heretofore established, the accounts of the governor, secretary, and judges, of the late territory of the United States northwest of the river Ohio, for their services while acting in those capacities, respectively, at any time between the twenty-ninth day of November, one thousand eight hundred and two, and the first Tuesday of March, one thousand eight hundred and three. [Approved, February 21, 1806.]

[§ Continued by act of 24th Feb. 1807, ch. 73, § 2, and act of 2d March, 1807, ch. 73, § 2.]

CHAP. 9. [IX.] An act to suspend the commercial intercourse between the United States and certain parts of the island of St. Domingo.§

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That all commercial intercourse, between any person or persons resident within the United States, and any person or persons resident within any part of the island of St. Domingo, not in possession, and under the acknowledged government, of France, shall be, or be is hereby, prohibited; and any ship or vessel, owned, hired, or employed, wholly or in part, by any person or persons resident within the United States, and sailing from any port of the United States, after due notice of this act at the customhouses, respectively, which, contrary to the intent hereof, shall be voluntarily carried, or shall be destined to proceed, whether directly or from intermediate port or place, to any port or place within the

island of St. Domingo, and not in possession, and under the acknowledged government, of France, and also any cargo which shall be found on board of such ship or vessel, when detected and interrupted in such unlawful purpose, or at her return from such voyage to the United States, shall be wholly forfeited, and may be seized and condemned in any court of the United States having competent jurisdiction. 1806.

SECT. 2. *And be it further enacted*, That, after due notice of this act at the several customhouses, no ship or vessel whatever shall receive a clearance for any port or place within the island of St. Domingo, and not in the actual possession of France: nor shall any clearance be granted for a foreign voyage to any ship or vessel, owned, hired, or employed, wholly or in part, by any person or persons resident within the United States, until the owner, or the employer for the voyage, or his factor or agent, with the master, shall give bond to the United States, in a sum equal to the value of the vessel and of her cargo, with condition that the ship or vessel, for which a clearance shall be required, is destined to some port or place without the limits of such part of the island of St. Domingo as shall not be in the actual possession, and under the acknowledged government of France, and during the intended voyage shall not be voluntarily carried, or permitted to proceed, whether directly or from any intermediate port or place, to any port or place within such part of the island of St. Domingo, as shall not be in the actual possession, and under the acknowledged government, of France; and in case of being forced by any casualty into any port or place hereby interdicted, shall not, at any such port or place, voluntarily sell, deliver, or unlade, any part of such cargo, except so much as may be absolutely necessary to defray the expenses requisite to enable such vessel to proceed on her intended voyage; and, generally, that such ship or vessel, whilst on such voyage, shall not be employed in any traffic or commerce, with or for any person resident within any part of the island of St. Domingo not in the actual possession, and under the acknowledged government, of France.

SECT. 3. *And be it further enacted*, That all penalties and forfeitures incurred by force of this act, and which may be recovered, shall be distributed and accounted for in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage,"\* passed the second day of March, one thousand seven hundred and ninety-nine, and may be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned;"† passed the third of March, one thousand seven hundred and ninety-seven, and made perpetual by an act passed the eleventh of February, one thousand eight hundred.

SECT. 4. *And be it further enacted*, That this act shall continue and be in force for one year, and no longer.

SECT. 5. *And be it further enacted*, That, at any time after the passing of this act, it shall be lawful for the president of the

possession of France, &c. together with any cargo found on board, forfeited, &c.

After due notice of this act, &c. no vessel to receive a clearance for any port of St. Domingo not in the actual possession of France, &c. No clearance to be granted for a foreign voyage to any vessel owned, &c. by persons resident in the United States, until bond be given, &c. that she will not proceed to any port or place of St. Domingo not in the possession of France, &c.

Penalties and forfeitures incurred by force of this act, &c. to be distributed, &c. in the manner prescribed by the act mentioned, &c. [\* Chap. 128, vol. 3.] Penalties and forfeitures under this act may be mitigated, &c. as prescribed by the act mentioned, &c. [† Chap. 361, vol. 2.]

[This act limited to the 28th of February, 1807.]

The president may, if he deems it expedient, &c. remit



1806. United States, if he shall deem it expedient, and consistent with the interest of the United States, by his order, to remit and discontinue the restraints and prohibitions on the commerce aforesaid. [Approved, February 28, 1806.]

and discontinue the prohibitions on the commerce with St. Domingo.

CHAP. 10. [X.] An act authorizing the sale of a tract of land in the town of Cincinnati, and state of Ohio.

For the disposal of the lot of land in the town of Cincinnati, on which Fort Washington was erected, the secretary of the treasury to cause it to be laid off into town lots, &c.

A plat to be returned to the surveyor general, and the lots numbered, &c.

One copy of the plat to be transmitted to the secretary of the treasury, and another to the register at Cincinnati; and the secretary of the treasury to cause the lots to be offered at public sale, &c.

Six weeks' notice to be given of the day of sale, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for the disposal of a certain tract or lot of land, belonging to the United States, in the town of Cincinnati, on the Ohio, being the same on which Fort Washington was erected, the secretary of the treasury shall cause the said tract to be surveyed and laid off into town lots, streets, and avenues, in such manner, and of such dimensions, as he may judge proper, conforming, as near as may be, to the original plan of the town: when the survey is completed, a plat thereof shall be returned to the surveyor general, on which the lots shall be denominated by progressive numbers, who shall therefrom cause two copies to be made, one to be transmitted to the secretary of the treasury, and the other to the register of the land office at Cincinnati: on the receipt of which plat the secretary of the treasury shall cause the said town lots to be offered to the highest bidder at public sale, to be held at Cincinnati, under the superintendence of the register and receiver of the land office in the district of Cincinnati, on the same terms and conditions as have been provided for the public sale of the public lands of the United States. Six weeks' notice shall be given of the day of sale, in at least two newspapers published in the state of Ohio. [Approved, February 28, 1806.]

CHAP. 11. [XI.] An act extending the powers of the surveyor general to the territory of Louisiana; and for other purposes.

The powers vested in the surveyor general to extend over all the public lands in the territory of Louisiana, &c.

The surveyor general to appoint deputies, &c.

One of them to be designated as principal deputy, &c.

The deputies to take an oath.

The principal deputy to reside and keep an office in the territory, and execute, &c. surveys, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the powers vested by law in the surveyor general, shall extend over all the public lands of the United States in the territory of Louisiana, to which the Indian title has been, or hereafter shall be, extinguished. It shall be the duty of the said surveyor general to appoint a sufficient number of skilful surveyors, as his deputies, in the said territory, one of whom he shall, with the approbation of the secretary of the treasury, designate as his principal deputy for the same. Which said deputies shall, severally, take an oath, or affirmation, *truly and faithfully to discharge the duties of their respective offices.* The said principal deputy shall reside and keep an office in the said territory, and shall, under the superintendence of the surveyor general, execute, or cause to be executed by the other deputies, such surveys as may hereafter be authorized by law, or as he may be directed to execute by

the commissioners appointed for the purpose of ascertaining the titles and claims to land within the territory aforesaid; and shall, generally, perform therein, in conformity with the regulations and instructions of the said surveyor general, the duties imposed by law on the said surveyor general.

SECT. 2. *And be it further enacted*, That all the plots of surveys, and all other papers and documents pertaining, or which did pertain, to the office of surveyor general, under the Spanish government, within the limits of the territory aforesaid, or to any other office heretofore established or authorized for the purpose of executing, or recording, surveys of lands within the said limits, shall be delivered to the principal deputy aforesaid; and no plot of survey shall be admitted as evidence, in any court of justice, unless certified by the said principal deputy to be a true copy of the record in his office.

SECT. 3. *And be it further enacted*, That so much of the act, entitled "An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana,"\* as makes it the duty of every claimant to lands, within the territory of Louisiana, to deliver to the recorder of land titles a plot of the tract, or tracts, claimed by him, be, and the same is hereby, repealed, so far as relates to claimants whose tracts had not been surveyed by the proper officer, under the Spanish government, prior to the twentieth day of December, one thousand eight hundred and three. And the commissioners appointed for ascertaining the titles and claims to lands, within either the territory of Louisiana, or that of Orleans, are hereby authorized to direct the officer exercising the powers of surveyor general within the same, to execute such surveys as they may think necessary for the purpose of deciding on claims presented for their decision: *Provided*, That the expense of executing such surveys shall be defrayed by the parties claiming the land, unless the same be claimed by a legal French or Spanish grant, made and completed before the first day of October, one thousand eight hundred: *And provided also, and it is hereby further enacted*, That every such survey, as well as every other survey, by whatever authority heretofore executed, those of the above mentioned legal and complete titles only excepted, shall be held and considered as private surveys only; and all the tracts of land, the titles to which may be ultimately confirmed by congress, in conformity with the provisions of the act above mentioned, shall, prior to the issuing of patents, be resurveyed, if judged necessary, under the authority of the person exercising the powers of surveyor general, and at the expense of the parties.

SECT. 4. *And be it further enacted*, That the surveyor general shall fix the compensation of the deputy surveyors, chain carriers, and axe men, in the territory of Louisiana: *Provided*, That the whole expense of surveying and marking the lines, whether paid by the United States or by individuals, shall not exceed three dollars per mile, for every mile that shall be actually run, or surveyed and marked. And the principal deputy aforesaid shall be entitled to receive, from individuals, the fol-

Plots, &c. pertaining to the office of surveyor general under the Spanish government, within the limits of the territory, &c. to be delivered to the principal deputy, &c.

No plot of survey admitted as evidence, unless certified by the principal deputy, &c.

So much of the act mentioned, as makes it the duty of claimants to lands within the territory of Louisiana to deliver to the recorder a plot, &c. repealed, so far, &c.  
[\* Chap. 440, vol. 3.]

The commissioners for ascertaining titles, &c. within Louisiana or Orleans, to direct the officer exercising the powers of surveyor general, &c. to execute such surveys, &c. *Provided*, the expense of executing the surveys to be defrayed by the parties claiming, unless, &c.

Every such survey, except, &c. to be considered as a private survey, &c.

All the tracts, the titles to which may be ultimately confirmed by congress, in conformity with the provisions of the act referred to, prior, &c. to be resurveyed, if judged necessary, &c.

The surveyor general to fix the compensation of the deputy surveyors, chain carriers, &c. in the territory of Louisiana, &c. *provided* the whole expense of surveying, &c. shall

**1806.** **lowing fees, that is to say; for examining and recording the**  
not exceed three  
dolls. per mile,  
&c. **surveys executed by any of the deputies, at the rate of twenty-**  
**five cents for every mile of the boundary line of such survey,**  
**and, for a certified copy of any plot of a survey in his office,**  
**twenty-five cents. [Approved, February 28, 1806.]**

[§ See the const.  
art. 1, sec. 10,  
cl. 3, page 68,  
vol. 1.]

The consent of  
congress granted  
and declared to  
an act of the  
legislature of  
Pennsylvania,  
&c. so far as to  
enable that state  
to collect a duty  
of four cents per  
ton on vessels  
clearing from  
Philadelphia for  
any foreign  
port, to be ex-  
pended in build-  
ing piers in the  
Delaware, &c.

**CHAP. 12. [XII.] An act declaring the consent of congress to an act of the**  
**state of Pennsylvania, entitled " An act to empower the board of wardens,**  
**for the port of Philadelphia, to collect a certain duty on tonnage, for the**  
**purposes therein mentioned."**

**SECT. 1. Be it enacted by the senate and house of representa-**  
**tatives of the United States of America in congress assembled, That**  
**the consent of congress be, and it is hereby, granted and de-**  
**clared to the operation of an act of the legislature of Pennsyl-**  
**vania, passed on the first day of April, in the year one thousand**  
**eight hundred and five, entitled " An act to empower the board**  
**duty on tonnage, for the purposes therein mentioned," so far as**  
**to enable the state of Pennsylvania to collect a duty of four**  
**cents per ton on all vessels which shall clear out from the port**  
**of Philadelphia for any foreign port or place whatever, to be ex-**  
**pend in building piers in, and otherwise improving the naviga-**  
**tion of, the river Delaware, agreeably to the intentions of the**  
**said act. [Approved, February 28, 1806.]**

The June term  
of the circuit  
court for North  
Carolina to be  
holden on the  
30th of that  
month, &c.

**CHAP. 13. [XIII.] An act for altering the time for holding the circuit court**  
**in the district of North Carolina; and for abolishing the July term of the**  
**Kentucky district court.**

**SECT. 1. Be it enacted by the senate and house of representa-**  
**tives of the United States of America in congress assembled, That**  
**the June term of the circuit court now holden for the district**  
**of North Carolina on the fifteenth day of June, shall commence**  
**and be holden on the twentieth day of the same month, any thing**  
**contained in any former act or acts to the contrary notwithstand-**  
**ing.† And that all actions, suits, process, pleadings, and other**  
**proceedings of what nature or kind soever, civil or criminal,**  
**commenced or to commence, in the said court; and all recogni-**  
**sances returnable to the said court on the fifteenth day of June,**  
**shall be continued, returned to, and have day, in the session to**  
**be holden by this act, and the same proceedings shall be had**  
**thereon as heretofore, and shall have all the effect, power, and**  
**virtue, as if the alteration had never been made: Provided, never-**  
**theless, That when the twentieth day of June shall happen on**  
**Sunday, the next shall be the first juridical day.**

[† Altered. See  
act of 4th Feb.  
1807; chap. 60,  
post.]  
Actions, suits,  
process, &c.  
continued and  
returnable ac-  
cordingly, &c.

Provido; when  
the 30th June  
happens on a  
Sunday, the  
next to be first  
juridical day.

**SECT. 2. And be it further enacted, That, from and after**  
**the first day of August next, so much of all and every act or**  
**acts, as directs that a district court, for the Kentucky district,**  
**shall be holden on the first Monday in July, in every year, shall**  
**be, and the same is hereby, repealed.‡**

[‡ See act of 2d  
March, 1803;  
chap. 346, vol. 3;  
and act of 24th  
Feb. 1807; s. c. 4,  
chap. 71, post.]

**[Approved, February 28, 1806.]**

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the respective county courts within, or next adjoining, the revenue districts hereinafter mentioned, shall be and are hereby authorized to take cognizance of all complaints and prosecutions for fines, penalties, and forfeitures, arising under the revenue laws of the United States, in the districts of Champlain, Sacket Harbor, Oswego, Genessee, Niagara, and Buffalo Creek, in the state of New York, and in the district of Presque Isle, in the state of Pennsylvania; and the district attorneys of New York and Pennsylvania, respectively, are hereby authorized and directed to appoint, by warrant, an attorney as their substitute or deputy, respectively, to prosecute for the United States in each of the said county courts, who shall be sworn or affirmed to the faithful execution of his duty, as prosecutor aforesaid: *Provided,* That this authority shall not be construed to extend jurisdiction to the county courts aforesaid, over any civil cause which may arise in any of those revenue districts, for the collection of duties payable to the United States; or of bonds or securities given, for the security and payment of duties to the United States.

SECT. 2. *And be it further enacted,* That the county courts aforesaid, or the first judge of each of said courts, shall be, and hereby are, further authorized to exercise all and every power in the cases of a criminal nature, cognizable before them by virtue of the first section of this act, for the purpose of obtaining a mitigation or remission of any fine, penalty, or forfeiture, which may be exercised by the judges of the district courts, in cases depending before them, by virtue of the law of the United States, passed on the third of March, one thousand seven hundred and ninety-seven, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned."† And, in the exercise of the authority by this section given to said county courts, or to the first judges thereof, they shall be governed, in every respect, by the regulations, restrictions, and provisoes, of the law of the United States, passed on the third of March, one thousand seven hundred and ninety-seven, aforesaid; with this difference only, that instead of notifying the district attorneys, respectively, said county courts, or the first judges thereof, as the case may be, shall, before exercising said authorities, cause reasonable notice to be given to the attorney who may have been appointed and sworn or affirmed to prosecute for the United States in such court, that he may have an opportunity of showing cause against the mitigation or remission of such fine, penalty, or forfeiture.

SECT. 3. *And be it further enacted,* That this act shall remain in force during the term of one year, from its passage, and from thence to the end of the next session of congress thereafter, and no longer.‡ [Approved, March 8, 1806.]

The respective county courts within, or next adjoining to, the revenue districts mentioned, authorized to take cognizance of complaints and prosecutions for fines, penalties, and forfeitures, arising under the revenue laws, &c. The district attorneys of New York and Pennsylvania directed to appoint, by warrant, attorneys to prosecute, &c. *Provided;* the authority given not to extend jurisdiction to the county courts over any civil cause, &c.

The county courts, or the first judge, &c. authorized to exercise all and every power in cases of a criminal nature, cognizable, &c. which may be exercised by the judges of the district courts by virtue of the law mentioned, &c.

[† Chap. 361, vol. 2.] In the exercise of authority given by this section to the county courts, &c. they are to be governed by the regulations, &c. of the law referred to, with the difference stated.

This act to remain in force until the 30th April, 1806. [‡ Continued, without limitation of time, by act of 21st April, 1806; chap. 155, post.]

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**CHAP. 15. [XV.]** An act declaring the town of Jersey, in the state of New Jersey, to be a port of delivery, and for erecting a lighthouse on Wood Island, or Fletcher's Neck, in the state of Massachusetts.

Jersey, in New Jersey, to be a port of delivery, to be annexed to the district of Perth Amboy, &c.

[\* sec. 7, chap. 128, page 142, vol. 3.] A surveyor, to reside at Jersey, to be entitled to a salary of 100 dolls. annually, in addition, &c. The secretary of the treasury required to cause a lighthouse to be erected on Wood Island or Fletcher's Neck, &c. appoint a keeper, &c.

Provido; if land can be obtained, &c. and the legislature of Massachusetts cedes the jurisdiction, &c. [† See page 668, vol. 1.] \$,000 dolls. appropriated for the erection of the lighthouse, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the town, or landing place, of Jersey, in the state of New Jersey, shall be a port of delivery, to be annexed to the district of Perth Amboy,\* and shall be subject to the same regulations and restrictions as other ports of delivery in the United States. And there shall be appointed a surveyor, to reside at the said port of delivery, who shall be entitled to receive, in addition to the other emoluments allowed by law, a salary of one hundred dollars, annually.

**SECT. 2.** *And be it further enacted,* That the secretary of the treasury shall be, and he is hereby, authorized and required, to cause a good and sufficient lighthouse to be erected on Wood Island, or on Fletcher's Neck, in the district of Maine, (selecting either place, as the president of the United States may deem most eligible) and to appoint a keeper, and otherwise provide for such lighthouse, at the expense of the United States: *Provided,* That sufficient land for the accommodation of such lighthouse can be obtained at a reasonable price, and the legislature of Massachusetts shall cede the jurisdiction over the same to the United States.† And the sum of five thousand dollars is hereby appropriated for the erection of said lighthouse, to be paid out of any moneys in the treasury, not otherwise appropriated.

[*Approved, March 8, 1806.*]

**CHAP. 16. [XVI.]** This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

**CHAP. 17. [XVII.]** An act declaring the consent of congress to an act of the state of South Carolina, passed on the twenty-first day of December, in the year one thousand eight hundred and four, so far as the same relates to authorizing the city council of Charleston to impose and collect a duty on the tonnage of vessels from foreign ports.‡

‡ This act is continued for five years, &c. by act of 15th June 1809; chap. 213, post. Now expired.] The consent of congress granted and declared to the operation of an act of the general assembly of South Carolina authorizing the city council of Charleston to impose and levy a duty on the tonnage of ships and vessels, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the consent of congress be, and it is hereby, granted and declared to the operation of an act of the general assembly of the state of South Carolina, passed the twenty-first day of December, in the year of our Lord one thousand eight hundred and four, entitled "An act to authorize the city council of Charleston, with the consent of congress, to impose and levy a duty on the tonnage of ships and vessels, for the purposes therein mentioned," so far as the same extends to authorizing the city council of Charleston to impose and levy a duty, not exceeding six

cents per ton, on all ships and vessels of the United States, which shall arrive and be entered in the port of Charleston from any foreign port or place whatever. 1806.

SECT. 2. *And be it further enacted*, That the collector of Charleston is hereby authorized to collect the duty imposed by this act, and to pay the same to such persons as shall be authorized to receive the same by the city council of Charleston.

The collector of Charleston to collect the duty imposed, and pay it to persons authorized to receive it, &c. Limitation of this act to the 28th June, 1809.

SECT. 3. *And be it further enacted*, That this act shall be in force for three years, and from thence to the end of the next session of congress thereafter, and no longer.

[*Approved, March 28, 1806.*]

CHAP. 18. [XVIII.] An act for the relief of Peter Landais.\*

[\* Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of the treasury be, and he hereby is, directed to pay to Peter Landais, late a captain of one of the armed vessels of the United States, out of any money in the treasury, not otherwise appropriated, the sum of four thousand dollars, on account of his claim to prize money, accruing from certain captures made and carried into Bergen, in the year one thousand seven hundred and seventy-nine; to be deducted from his proportion of the money which may be obtained from the Danish government, in satisfaction of the claim aforesaid.

The secretary of the treasury directed to pay to Peter Landais, &c. out of the treasury, 4,000 dolls. on account of his claim to prize money, accruing from captures carried into Bergen, in 1779; to be deducted from his proportion, &c.

[*Approved, March 28, 1806.*]

CHAP. 19. [XIX.] An act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized to appoint, by and with the advice and consent of the senate, three discreet and disinterested citizens of the United States, to lay out a road from Cumberland, or a point on the northern bank of the river Potowmac, in the state of Maryland, between Cumberland and the place where the main road leading from Gwinn's to Winchester, in Virginia, crosses the river, to the state of Ohio; whose duty it shall be, as soon as may be after their appointment, to repair to Cumberland aforesaid, and view the ground, from the points on the river Potowmac, hereinbefore designated, to the river Ohio; and to lay out, in such direction as they shall judge, under all circumstances, the most proper, a road from thence to the river Ohio, to strike the same at the most convenient place, between a point on its eastern bank, opposite to the northern boundary of Steubenville, in said state of Ohio, and the mouth of Grave creek, which empties into the said river a little below Wheeling, in Virginia.

The president to appoint, &c. three citizens, to lay out a road from Cumberland, &c. to the state of Ohio, &c.

The persons appointed to repair to Cumberland, and view the ground, &c. lay out a road, &c.

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The road to be four rods in width, and designated on each side by a mark on a tree, &c. in every quarter of a mile of the distance, &c.

The commissioners to present to the president an accurate plan of the road &c. with a written report of proceedings, &c.

The president may accept or reject the report, &c. If he accepts, he is authorized to obtain the consent of the states through which the road has been laid out; and to take measures to cause the road to be made through the whole distance, &c. [\* See sec. 2, ch. 322, post.]

All parts of the road, &c. to be cleared the whole width of four rods; the road to be raised in the middle, &c.

A ditch, &c. on each side the carriage way. The elevation not to be greater than an angle of 5 degrees, &c.

The commissioners, each, to receive 4 dolls. per day, in full, &c. The commissioners authorized to employ one surveyor, chainmen, &c.

Wages of the surveyor, &c.

**SECT. 2.** *And be it further enacted,* That the aforesaid road shall be laid out four rods in width, and designated on each side by a plain and distinguishable mark on a tree, or by the erection of a stake or monument, sufficiently conspicuous, in every quarter of a mile of the distance, at least, where the road pursues a straight course so far or farther, and on each side, at every point where an angle occurs in its course.

**SECT. 3.** *And be it further enacted,* That the commissioners shall, as soon as may be after they have laid out said road, as aforesaid, present to the president an accurate plan of the same, with its several courses and distances, accompanied by a written report of their proceedings, describing the marks and monuments by which the road is designated, and the face of the country over which it passes, and pointing out the particular parts which they shall judge require the most and immediate attention and amelioration; and the probable expense of making the same passable in the most difficult parts, and through the whole distance; designating the state or states through which said road has been laid out, and the length of the several parts which are laid out on new ground, as well as the length of those parts laid out on the road now travelled. Which report the president is hereby authorized to accept or reject, in the whole or in part. If he accepts, he is hereby further authorized and requested to pursue such measures as, in his opinion, shall be proper to obtain consent, for making the road, of the state or states through which the same has been laid out. Which consent being obtained, he is further authorized to take prompt and effectual measures to cause said road to be made through the whole distance, or in any part or parts of the same as he shall judge most conducive to the public good, having reference to the sum appropriated for the purpose.\*

**SECT. 4.** *And be it further enacted,* That all parts of the road which the president shall direct to be made, in case the trees are standing, shall be cleared the whole width of four rods; and the road shall be raised in the middle of the carriage way with stone, earth, or gravel and sand, or a combination of some or all of them, leaving or making, as the case may be, a ditch or water course on each side, and contiguous to, said carriage way; and in no instance shall there be an elevation in said road, when finished, greater than an angle of five degrees with the horizon. But the manner of making said road, in every other particular, is left to the direction of the president.

**SECT. 5.** *And be it further enacted,* That said commissioners shall, each, receive four dollars per day, while employed as aforesaid, in full for their compensation, including all expenses. And they are hereby authorized to employ one surveyor, two chainmen, and one marker, for whose faithfulness and accuracy they, the said commissioners, shall be responsible, to attend them in laying out said road, who shall receive, in full satisfaction for their wages, including all expenses, the surveyor three dollars per day, and each chainman and the marker one dollar per day, while they shall be employed in said business; of which fact, a

certificate signed by said commissioners shall be deemed sufficient evidence.

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**SECT. 6.** *And be it further enacted,* That the sum of thirty thousand dollars be, and the same is hereby, appropriated, to defray the expense of laying out and making said road. And the president is hereby authorized to draw, from time to time, on the treasury, for such parts, or, at any one time, for the whole, of said sum, as he shall judge the service requires. Which sum of thirty thousand dollars shall be paid, first, out of the fund of two per cent. reserved for laying out and making roads to the state of Ohio, by virtue of the seventh section of an act passed on the thirtieth day of April, one thousand eight hundred and two, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states; and for other purposes:"\* three per cent. of the appropriation contained in said seventh section, being directed, by a subsequent law, to the laying out, opening, and making roads within the said state of Ohio. And secondly, out of any money in the treasury, not otherwise appropriated, chargeable upon, and reimbursable at, the treasury, by said fund of two per cent. as the same shall accrue.†

30,000 dolls. appropriated for defraying the expense of making the road; the president to draw on the treasury, &c.

The sum to be paid out of the fund of 2 per cent. reserved, &c. and out of any money in the treasury, reimbursable by the fund of 2 per cent.

[\* Chap. 300, vol. 3.]

[† See ch. 233, post.]

**SECT. 7.** *And be it further enacted,* That the president be, and he is hereby, requested to cause to be laid before congress, as soon as convenience will permit, after the commencement of each session, a statement of the proceedings under this act, that congress may be enabled to adopt such further measures as may, from time to time, be proper under existing circumstances.

The president requested to cause to be laid before congress, &c. a statement of the proceedings under this act, &c.

[Approved, March 29, 1806.]

**CHAP. 20. [XX.]** An act for establishing rules and articles for the government of the armies of the United States.‡

[† See the note at the end of this chapter.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the passing of this act, the following shall be the rules and articles by which the armies of the United States shall be governed:

Rules and articles by which the armies of the United States are to be governed after the 10th April, 1806.

**Article 1.** Every officer now in the army of the United States shall, in six months from the passing of this act, and every officer who shall hereafter be appointed shall, before he enters on the duties of his office, subscribe these rules and regulations.

Every officer to subscribe these rules, &c.

**Article 2.** It is earnestly recommended to all officers and soldiers diligently to attend divine service, and all officers who shall behave indecently or irreverently at any place of divine worship shall, if commissioned officers, be brought before a general court martial, there to be publicly and severely reprimanded by the president; if noncommissioned officers or soldiers, every person so offending shall, for his first offence, forfeit one-sixth of a dollar, to be deducted out of his next pay; for the second offence,

Officers and soldiers diligently to attend divine service, and behave decently and reverently, under pain of reprimand, fine, &c.



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he shall not only forfeit a like sum, but be confined twenty-four hours; and for every like offence, shall suffer and pay in like manner; which money, so forfeited, shall be applied, by the captain or senior officer of the troop or company, to the use of the sick soldiers of the company or troop to which the offender belongs.

Reprimand,  
fine, &c. for  
using profane  
oaths, or ex-  
ecrations, &c.

*Article 3.* Any noncommissioned officer or soldier who shall use any profane oath or execration, shall incur the penalties expressed in the foregoing article; and a commissioned officer shall forfeit and pay, for each and every such offence, one dollar, to be applied as in the preceding article.

Chaplains, &c.  
absenting them-  
selves, except,  
&c. liable to  
fine or dis-  
charge, &c.

*Article 4.* Every chaplain, commissioned in the army or armies of the United States, who shall absent himself from the duties assigned him, (excepting in cases of sickness or leave of absence) shall, on conviction thereof before a court martial, be fined not exceeding one month's pay, besides the loss of his pay during his absence; or be discharged, as the said court martial shall judge proper.

Officers using  
contemptuous  
words against  
the president,  
congress, &c. to  
be cashiered,  
&c. and noncom-  
missioned offi-  
cers and soldiers  
to suffer punish-  
ment by sen-  
tence of court  
martial.

*Article 5.* Any officer or soldier who shall use contemptuous or disrespectful words against the president of the United States, against the vice president thereof, against the congress of the United States, or against the chief magistrate or legislature of any of the United States in which he may be quartered, if a commissioned officer, shall be cashiered, or otherwise punished, as a court martial shall direct; if a noncommissioned officer or soldier, he shall suffer such punishment as shall be inflicted on him by the sentence of a court martial.

Officers or sol-  
diers behaving  
with disrespect  
towards com-  
manding offi-  
cers, to be pu-  
nished by judg-  
ment of court  
martial.

*Article 6.* Any officer or soldier who shall behave himself with contempt or disrespect towards his commanding officer, shall be punished, according to the nature of his offence, by the judgment of a court martial.

Death, &c. for  
beginning or  
exciting muti-  
ny, &c.

*Article 7.* Any officer or soldier who shall begin, excite, cause, or join in, any mutiny or sedition in any troop or company in the service of the United States, or in any party, post, detachment, or guard, shall suffer death, or such other punishment as by a court martial shall be inflicted.

Officers or sol-  
diers, present at  
a mutiny, and  
not endeavoring  
to suppress it,  
&c. to be pu-  
nished with  
death, or other-  
wise, &c.

*Article 8.* Any officer, noncommissioned officer, or soldier, who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or coming to the knowledge of any intended mutiny, does not, without delay, give information thereof to his commanding officer, shall be punished, by the sentence of a court martial, with death, or otherwise, according to the nature of his offence.

Officers or sol-  
diers striking a  
superior, &c. to  
suffer death, or  
other punish-  
ment, &c.

*Article 9.* Any officer or soldier who shall strike his superior officer, or draw or lift up any weapon or offer any violence against him, being in the execution of his office, on any pretence whatsoever, or shall disobey any lawful command of his superior officer, shall suffer death, or such other punishment as shall, according to the nature of his offence, be inflicted upon him by the sentence of a court martial.

Noncommis-  
sioned officers  
and soldiers to

*Article 10.* Every noncommissioned officer or soldier, who shall enlist himself in the service of the United States, shall, at

the time of his so enlisting, or within six days afterwards, have the articles for the government of the armies of the United States read to him, and shall, by the officer who enlisted him, or by the commanding officer of the troop or company into which he was enlisted, be taken before the next justice of the peace, or chief magistrate of any city or town corporate, not being an officer of the army, or, where recourse cannot be had to the civil magistrate, before the judge advocate, and, in his presence, shall take the following oath or affirmation: "*I, A B, do solemnly swear, or affirm, (as the case may be) that I will bear true allegiance to the United States of America, and that I will serve them, honestly and faithfully, against all their enemies or opposers whatsoever, and observe and obey the orders of the president of the United States, and the orders of the officers appointed over me, according to the rules and articles for the government of the armies of the United States.*" Which justice, magistrate, or judge advocate, is to give the officer a certificate, signifying that the man enlisted did take the said oath or affirmation.

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have the articles for the government of the armies read to them, and take an oath, &c.

Form of the oath.

The justice, &c. to give a certificate that the oath was taken.

**Article 11.** After a noncommissioned officer or soldier shall have been duly enlisted and sworn, he shall not be dismissed the service without a discharge in writing; and no discharge granted to him shall be sufficient, which is not signed by a field officer of the regiment to which he belongs, or commanding officer where no field officer of the regiment is present; and no discharge shall be given to a noncommissioned officer, or soldier, before his term of service has expired, but by order of the president, the secretary of war, the commanding officer of a department, or the sentence of a general court martial; nor shall a commissioned officer be discharged the service but by order of the president of the United States, or by sentence of a general court martial.

Noncommissioned officers and soldiers not to be dismissed the service without a discharge in writing.

No discharge sufficient unless signed by a field officer, &c. No discharge, &c. before the term of service has expired, but by order of the president, &c.

Commissioned officers not to be discharged the service but by order of the president, &c. Colonels, &c. quartered with their regiments, &c. may give furloughs to noncommissioned officers or soldiers, &c. Captains, &c. commanding, &c. may give furloughs to noncommissioned officers or soldiers, for 30 days in six months, but not, &c.

**Article 12.** Every colonel, or other officer, commanding a regiment, troop, or company, and actually quartered with it, may give furloughs to noncommissioned officers or soldiers, in such numbers, and for so long a time, as he shall judge to be most consistent with the good of the service; and a captain, or other inferior officer, commanding a troop or company, or in any garrison, fort, or barrack, of the United States, (his field officer being absent) may give furloughs to noncommissioned officers or soldiers, for a time not exceeding twenty days in six months, but not to more than two persons to be absent at the same time, excepting some extraordinary occasion should require it.

**Article 13.** At every muster, the commanding officer of each regiment, troop, or company, there present, shall give to the commissary of musters, or other officer who musters the said regiment, troop, or company, certificates signed by himself, signifying how long such officers, as shall not appear at the said muster, have been absent, and the reason of their absence. In like manner, the commanding officer of every troop, or company, shall give certificates, signifying the reasons of the absence of the noncommissioned officers and private soldiers, which reasons, and time of absence, shall be inserted in the muster rolls, oppo-

At every muster the commanding officer, &c. to give to the commissary of musters, certificates, &c. signifying how long officers not appearing have been absent, and the reason of it. Commanding officers of troops or companies to give certificates of the absence of privates, &c.

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The certificates, &c. to be remitted to the department of war, &c.

Officers convicted of having signed false certificates, &c. to be cashiered.

Officers making false musters, or signing false muster rolls, &c. to be cashiered, and disabled to hold any office, &c.

Commissaries of musters, &c. convicted of taking money, or other gratification, on mustering, or signing muster rolls, to be displaced, &c.

Officers mustering persons as soldiers who are not soldiers, deemed guilty of a false muster, &c. Officers making false returns to the department of war, &c. to be cashiered.

Commanding officers of regiments, &c. to remit, in the beginning of every month, to the department of war, an exact return of the regiment, &c. specifying the names of officers absent, &c. Officers neglecting to send returns to be punished, &c.

Officers and soldiers convicted of desertion, &c. to suffer death, or other punishment, &c.

Noncommissioned officers or soldiers absenting them-

site the name of the respective absent officers and soldiers. The certificates shall, together with the muster rolls, be remitted, by the commissary of musters, or other officer mustering, to the department of war, as speedily as the distance of the place will admit.

*Article 14.* Every officer who shall be convicted, before a general court martial, of having signed a false certificate, relating to the absence of either officer or private soldier, or relative to his or their pay, shall be cashiered.

*Article 15.* Every officer who shall knowingly make a false muster of man or horse, and every officer or commissary of musters who shall willingly sign, direct, or allow, the signing of muster rolls, wherein such false muster is contained, shall, upon proof made thereof by two witnesses, before a general court martial, be cashiered, and shall be thereby utterly disabled to have or hold any office or employment in the service of the United States.

*Article 16.* Any commissary of musters, or other officer, who shall be convicted of having taken money, or other thing, by way of gratification, on mustering any regiment, troop, or company, or on signing muster rolls, shall be displaced from his office, and shall be thereby utterly disabled to have or hold any office or employment in the service of the United States.

*Article 17.* Any officer who shall presume to muster a person as a soldier, who is not a soldier, shall be deemed guilty of having made a false muster, and shall suffer accordingly.

*Article 18.* Every officer who shall knowingly make a false return to the department of war, or to any of his superior officers, authorized to call for such returns, of the state of the regiment, troop, or company, or garrison, under his command; or of the arms, ammunition, clothing, or other stores, thereunto belonging, shall, on conviction thereof before a court martial, be cashiered.

*Article 19.* The commanding officer of every regiment, troop, or independent company, or garrison, of the United States, shall, in the beginning of every month, remit, through the proper channels, to the department of war, an exact return of the regiment, troop, independent company, or garrison, under his command, specifying the names of the officers then absent from their posts, with the reasons for, and the time of, their absence. And any officer who shall be convicted of having, through neglect or design, omitted sending such returns, shall be punished, according to the nature of his crime, by the judgment of a general court martial.

*Article 20.* All officers and soldiers, who have received pay, or have been duly enlisted, in the service of the United States, and shall be convicted of having deserted the same, shall suffer death, or such other punishment as, by sentence of a court martial, shall be inflicted.

*Article 21.* Any noncommissioned officer or soldier who shall, without leave from his commanding officer, absent himself from his troop, company, or detachment, shall, upon being convicted

thereof, be punished, according to the nature of his offence, at the discretion of a court martial.

**Article 22.** No noncommissioned officer or soldier shall enlist himself in any other regiment, troop, or company, without a regular discharge from the regiment, troop, or company, in which he last served, on the penalty of being reputed a deserter, and suffering accordingly. And in case any officer shall knowingly receive and entertain such noncommissioned officer or soldier, or shall not, after his being discovered to be a deserter, immediately confine him, and give notice thereof to the corps in which he last served, the said officer shall, by a court martial, be cashiered.

**Article 23.** Any officer or soldier who shall be convicted of having advised or persuaded any other officer or soldier to desert the service of the United States, shall suffer death, or such other punishment as shall be inflicted upon him by the sentence of a court martial.

**Article 24.** No officer or soldier shall use any reproachful or provoking speeches or gestures to another, upon pain, if an officer, of being put in arrest; if a soldier, confined, and of asking pardon of the party offended, in the presence of his commanding officer.

**Article 25.** No officer or soldier shall send a challenge to another officer or soldier, to fight a duel, or accept a challenge, if sent, upon pain, if a commissioned officer, of being cashiered; if a noncommissioned officer or soldier, of suffering corporeal punishment, at the discretion of a court martial.

**Article 26.** If any commissioned or noncommissioned officer, commanding a guard, shall knowingly or willingly suffer any person whatsoever to go forth to fight a duel, he shall be punished as a challenger; and all seconds, promoters, and carriers, of challenges, in order to duels, shall be deemed principals, and be punished accordingly. And it shall be the duty of every officer, commanding an army, regiment, company, post, or detachment, who is knowing to a challenge being given, or accepted, by any officer, noncommissioned officer, or soldier, under his command, or has reason to believe the same to be the case, immediately to arrest and bring to trial such offenders.

**Article 27.** All officers, of what condition soever, have power to part and quell all quarrels, frays, and disorders, though the persons concerned should belong to another regiment, troop, or company; and either to order officers into arrest, or noncommissioned officers or soldiers into confinement, until their proper superior officers shall be acquainted therewith; and whosoever shall refuse to obey such officer, (though of an inferior rank,) or shall draw his sword upon him, shall be punished at the discretion of a general court martial.

**Article 28.** Any officer or soldier who shall upbraid another for refusing a challenge, shall himself be punished as a challenger; and all officers and soldiers are hereby discharged from any disgrace, or opinion of disadvantage, which might arise from their having refused to accept of challenges, as they will only

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selves without leave, to be punished, &c.  
Noncommissioned officers or soldiers not to enlist in any other regiment, &c. without a regular discharge, &c.  
Officers knowingly receiving deserters, &c. or not giving notice, &c. to be cashiered.

Officers or soldiers persuading others to desert, to suffer death, or other punishment, &c.

Officers or soldiers using reproachful or provoking speeches, &c. to be put in arrest, or confined, &c.

Officers and soldiers neither to send or accept challenges, on pain of being cashiered, or of suffering corporeal punishment, &c.

Officers commanding guards, knowingly suffering persons to go forth to fight duels, to be punished as challengers, and seconds, &c. to be deemed principals, &c.  
Every officer commanding an army, regiment, &c. knowing to a challenge being given, &c. to arrest and bring offenders to trial, &c.

All officers have power to quell quarrels, frays, &c.

Whoever refuses to obey, &c. to be punished, &c.

Officers or soldiers upbraiding another for refusing a challenge, to be punished as challengers, &c.

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Settlers not permitted to sell liquors, &c. after nine at night, nor before beating of reveilles, nor on Sunday, during divine service, &c.

Commanding officers to see that sutlers supply the soldiers with wholesome provisions, &c.

Officers commanding in garrisons, forts, &c. not to exact exorbitant prices for houses, &c. let out to sutlers, nor be interested in the sale of victuals, liquors, &c. on penalty of being discharged.

Commanding officers, &c. to keep good order, redress abuses, and see reparation made to the parties injured, &c.

When any commissioned officer is accused of a capital crime, or of having committed any offence against the persons or property of citizens, &c. the commanding officers, &c. are required, upon application, &c. to use their utmost endeavors to deliver the accused to the civil magistrate, &c.

If any commanding officer, &c. neglects or refuses to deliver over the accused, &c. he is to be cashiered.

have acted in obedience to the laws, and done their duty as good soldiers, who subject themselves to discipline.

*Article 29.* No sutler shall be permitted to sell any kind of liquors or victuals, or to keep their houses or shops open for the entertainment of soldiers, after nine at night, or before the beating of the reveillez, or upon Sundays during divine service or sermon, on the penalty of being dismissed from all future suttling.

*Article 30.* All officers commanding in the field, forts, barracks, or garrisons, of the United States, are hereby required to see that the persons permitted to suttle shall supply the soldiers with good and wholesome provisions, or other articles, at a reasonable price, as they shall be answerable for their neglect.

*Article 31.* No officer commanding in any of the garrisons, forts, or barracks, of the United States, shall exact exorbitant prices for houses or stalls let out to sutlers, or connive at the like exactions in others; nor, by his own authority, and for his private advantage, lay any duty or imposition upon, or be interested in, the sale of any victuals, liquors, or other necessities of life, brought into the garrison, fort, or barracks, for the use of the soldiers, on the penalty of being discharged from the service.

*Article 32.* Every officer commanding in quarters, garrisons, or on the march, shall keep good order, and, to the utmost of his power, redress all abuses or disorders, which may be committed by any officer or soldier under his command. If, upon complaint made to him, of officers or soldiers beating, or otherwise ill treating, any person, of disturbing fairs or markets, or of committing any kinds of riots, to the disquieting of the citizens of the United States, he, the said commander, who shall refuse or omit to see justice done to the offender or offenders, and reparation made to the party or parties injured, as far as part of the offender's pay shall enable him or them, shall, upon proof thereof, be cashiered, or otherwise punished, as a general court martial shall direct.

*Article 33.* When any commissioned officer or soldier shall be accused of a capital crime, or of having used violence, or committed any offence, against the persons or property of any citizen of any of the United States, such as is punishable by the known laws of the land, the commanding officer, and officers of every regiment, troop, or company, to which the person or persons so accused shall belong, are hereby required, upon application duly made by, or in behalf of, the party or parties injured, to use their utmost endeavors to deliver over such accused person or persons, to the civil magistrate, and likewise to be aiding and assisting to the officers of justice in apprehending and securing the person or persons so accused, in order to bring him or them to trial. If any commanding officer or officers shall wilfully neglect, or shall refuse, upon the application aforesaid, to deliver over such accused person or persons to the civil magistrates, or to be aiding and assisting to the officers of justice in apprehending such person or persons, the officer or officers, so offending, shall be cashiered.

**Article 34.** If any officer shall think himself wronged by his colonel, or the commanding officer of the regiment, and shall, upon due application being made to him, be refused redress, he may complain to the general, commanding in the state or territory where such regiment shall be stationed, in order to obtain justice; who is hereby required to examine into the said complaint, and take proper measures for redressing the wrong complained of, and transmit, as soon as possible, to the department of war, a true state of such complaint, with the proceedings had thereon.

If any officer thinks himself wronged by his colonel, &c., and, upon application, is refused redress, he may complain to the general, who is to examine into the complaint, &c.

**Article 35.** If any inferior officer or soldier shall think himself wronged by his captain, or other officer, he is to complain thereof to the commanding officer of the regiment, who is hereby required to summon a regimental court martial, for the doing justice to the complainant; from which regimental court martial, either party may, if he thinks himself still aggrieved, appeal to a general court martial. But if, upon a second hearing, the appeal shall appear vexatious and groundless, the person, so appealing, shall be punished at the discretion of the said court martial.

If an inferior officer or soldier thinks himself wronged by his captain, &c., he is to complain to the commanding officer of the regiment, who is required to summon a regimental court martial; appeal, &c.

**Article 36.** Any commissioned officer, storekeeper, or commissary, who shall be convicted, at a general court martial, of having sold, without a proper order for that purpose, embezzled, misapplied, or wilfully, or through neglect, suffered any of the provisions, forage, arms, clothing, ammunition, or other military stores, belonging to the United States, to be spoiled or damaged, shall, at his own expense, make good the loss or damage, and shall, moreover, forfeit all his pay, and be dismissed from the service.

If the appeal appears vexatious, the person appealing may be punished, &c. Commissioned officers, storekeepers, &c., convicted of having sold, without a proper order, &c., any provisions, forage, arms, &c., or negligently suffered any of them to be spoiled, &c., to make good the loss, forfeit pay, &c.

**Article 37.** Any noncommissioned officer or soldier who shall be convicted, at a regimental court martial, of having sold, or designedly, or through neglect, wasted the ammunition delivered out to him, to be employed in the service of the United States, shall be punished, at the discretion of such court.

Noncommissioned officers or soldiers convicted of having sold or wasted ammunition, &c., to be punished.

**Article 38.** Every noncommissioned officer or soldier who shall be convicted, before a court martial, of having sold, lost, or spoiled, through neglect, his horse, arms, clothes, or accoutrements, shall undergo such weekly stoppages (not exceeding the half of his pay) as such court martial shall judge sufficient for repairing the loss or damage; and shall suffer confinement, or such other corporeal punishment as his crime shall deserve.

Noncommissioned officers or soldiers convicted of having sold, lost, or spoiled, their horse, arms, clothes, &c., to undergo weekly stoppages of pay, &c.

**Article 39.** Every officer who shall be convicted, before a court martial, of having embezzled or misapplied any money, with which he may have been intrusted for the payment of the men under his command, or for enlisting men into the service, or for other purposes, if a commissioned officer, shall be cashiered, and compelled to refund the money; if a noncommissioned officer, shall be reduced to the ranks, be put under stoppages until the money be made good, and suffer such corporeal punishment as such court martial shall direct.

Officers convicted of embezzlement or misapplication of money, intrusted to them for the payment of the men, &c., to be cashiered, and compelled to refund; if a noncommissioned officer, to be reduced, &c.

**Article 40.** Every captain of a troop, or company, is charged with the arms, accoutrements, ammunition, clothing, or other

Every captain of a troop or company accountable for

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the arms, accoutrements, &c. belonging to the company or troop, &c.

Noncommissioned officers and soldiers found one mile from camp without leave in writing, &c. to suffer punishment, &c.

No officer or soldier to lie out of quarters, &c. without leave, &c.

Noncommissioned officers and soldiers to retire to their tents at the beating of the retreat, &c.

No officer or soldier to fail in repairing to the place of parade, if not prevented by sickness, &c. nor leave it before being regularly dismissed, &c.

Any commissioned officer found drunk on guard, &c. to be cashiered; and soldiers, &c. in that case to suffer corporeal punishment, &c. Centinels sleeping on their posts, &c. to suffer death, &c.

No soldier to hire another to do his duty for him, or be excused, but in cases of sickness, &c.

Noncommissioned officers conniving at hiring of duty, to be reduced, and commissioned officers knowing and allowing it, to be punished.

Any officer who occasions false alarms in camp, &c. to suffer death, or other punishment.

Officers or soldiers, without urgent necessity

warlike stores, belonging to the troop or company under his command, which he is to be accountable for to his colonel, in case of their being lost, spoiled, or damaged, not by unavoidable accidents, or on actual service.

*Article 41.* All noncommissioned officers and soldiers who shall be found one mile from the camp without leave, in writing, from their commanding officer, shall suffer such punishment as shall be inflicted upon them by the sentence of a court martial.

*Article 42.* No officer or soldier shall lie out of his quarters, garrison, or camp, without leave from his superior officer, upon penalty of being punished, according to the nature of his offence, by the sentence of a court martial.

*Article 43.* Every noncommissioned officer and soldier shall retire to his quarters or tent at the beating of the retreat; in default of which he shall be punished according to the nature of his offence.

*Article 44.* No officer, noncommissioned officer, or soldier, shall fail in repairing, at the time fixed, to the place of parade, of exercise, or other rendezvous, appointed by his commanding officer, if not prevented by sickness, or some other evident necessity; or shall go from the said place of rendezvous, without leave from his commanding officer, before he shall be regularly dismissed or relieved, on the penalty of being punished, according to the nature of his offence, by the sentence of a court martial.

*Article 45.* Any commissioned officer who shall be found drunk on his guard, party, or other duty, shall be cashiered. Any noncommissioned officer or soldier so offending, shall suffer such corporeal punishment as shall be inflicted by the sentence of a court martial.

*Article 46.* Any centinel who shall be found sleeping upon his post, or shall leave it before he shall be regularly relieved, shall suffer death, or such other punishment as shall be inflicted by the sentence of a court martial.

*Article 47.* No soldier belonging to any regiment, troop, or company, shall hire another to do his duty for him, or be excused from duty, but in cases of sickness, disability, or leave of absence; and every such soldier found guilty of hiring his duty, as also the party so hired to do another's duty, shall be punished, at the discretion of a regimental court martial.

*Article 48.* And every noncommissioned officer conniving at such hiring of duty aforesaid, shall be reduced; and every commissioned officer, knowing and allowing such ill practices in the service, shall be punished by the judgment of a general court martial.

*Article 49.* Any officer belonging to the service of the United States, who, by discharging of fire arms, drawing of swords, beating of drums, or by any other means whatsoever, shall occasion false alarms in camp, garrison, or quarters, shall suffer death, or such other punishment as shall be ordered by the sentence of a general court martial.

*Article 50.* Any officer or soldier who shall, without urgent necessity, or without the leave of his superior officer, quit his

guard, platoon, or division, shall be punished, according to the nature of his offence, by the sentence of a court martial.

**Article 51.** No officer or soldier shall do violence to any person who brings provisions or other necessaries to the camp, garrison, or quarters, of the forces of the United States, employed in any parts out of the said states, upon pain of death, or such other punishment as a court martial shall direct.

**Article 52.** Any officer or soldier, who shall misbehave himself before the enemy, run away, or shamefully abandon any fort, post, or guard, which he or they may be commanded to defend, or speak words inducing others to do the like; or shall cast away his arms and ammunition, or who shall quit his post or colors to plunder and pillage, every such offender, being duly convicted thereof, shall suffer death, or such other punishment as shall be ordered by the sentence of a general court martial.

**Article 53.** Any person belonging to the armies of the United States, who shall make known the watch word to any person who is not entitled to receive it, according to the rules and discipline of war, or shall presume to give a parole or watch word, different from what he received, shall suffer death, or such other punishment as shall be ordered by the sentence of a general court martial.

**Article 54.** All officers and soldiers are to behave themselves orderly in quarters, and on their march; and whosoever shall commit any waste or spoil, either in walks of trees, parks, warrens, fish ponds, houses, or gardens, cornfields, enclosures of meadows, or shall maliciously destroy any property whatsoever, belonging to the inhabitants of the United States, unless by order of the then commander in chief of the armies of the said states, shall (besides such penalties as they are liable to by law) be punished, according to the nature and degree of the offence, by the judgment of a regimental or general court martial.

**Article 55.** Whosoever, belonging to the armies of the United States, employed in foreign parts, shall force a safe guard, shall suffer death.

**Article 56.** Whosoever shall relieve the enemy with money, victuals, or ammunition, or shall knowingly harbor or protect an enemy, shall suffer death, or such other punishment as shall be ordered by the sentence of a court martial.

**Article 57.** Whosoever shall be convicted of holding correspondence with, or giving intelligence to, the enemy, either directly or indirectly, shall suffer death, or such other punishment as shall be ordered by the sentence of a court martial.

**Article 58.** All public stores taken in the enemy's camp, towns, forts, or magazines, whether of artillery, ammunition, clothing, forage, or provisions, shall be secured for the service of the United States; for the neglect of which the commanding officer is to be answerable.

**Article 59.** If any commander of any garrison, fortress, or post, shall be compelled, by the officers and soldiers under his command, to give up to the enemy, or to abandon it, the commissioned officers, noncommissioned officers or soldiers, who

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or leave, quitting guard, &c. to be punished, &c.  
Officers and soldiers not to do violence to persons bringing provisions to camp, &c. out of the United States, on pain of death, &c.  
Officers or soldiers who misbehave before the enemy, run away, &c. to suffer death, or other punishment, &c.

Persons belonging to the armies making known the watch word, &c. to suffer death, or other punishment.

Officers and soldiers to behave orderly in quarters, &c. and such as commit waste, &c. unless by order of the commander in chief, &c. to be punished, &c.

Whosoever, in foreign parts, forces a safe guard, is to suffer death.

Whosoever relieves the enemy with money, victuals, &c. is to suffer death, or other punishment, &c.  
Death, or other punishment, &c. for holding correspondence with, or giving intelligence to, the enemy, &c.

Public stores taken in the enemy's camp, &c. to be secured for the service of the United States, &c.

Death, &c. for the officers and soldiers of any garrison, &c. compelling a commander to give up to the enemy, &c.



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Sutlers, &c.  
subject to or-  
ders, &c.

Officers having  
brevets, &c. of  
prior date to  
those of the re-  
giment in which  
they serve, may  
take place, &c.  
according to the  
ranks given  
them, &c. but,  
&c.

If, upon marches,  
&c. different  
corps happen to  
join, &c. the  
officer highest  
in rank, &c. to  
command, un-  
less, &c.

Engineers not  
to assume, nor  
be subject to,  
any duty be-  
yond the line of  
their immediate  
profession, ex-  
cept, &c.

General courts  
martial may  
consist of any  
number of com-  
missioned offi-  
cers, from 5 to  
15, &c.  
General officers,  
or colonels,  
commanding,  
&c. may appoint  
general courts  
martial, &c.  
No sentence of a  
court martial to  
be carried into  
execution until  
the proceedings  
have been laid  
before the offi-  
cer ordering it,  
&c.  
No sentence of a  
general court  
martial, in time  
of peace, extend-  
ing to loss of  
life, &c. or  
which, in peace  
or war, respects  
a general officer,  
to be carried into  
execution until  
the proceedings  
have been laid  
before the pre-  
sident, &c.

shall be convicted of having so offended, shall suffer death, or such other punishment as shall be inflicted upon them by the sentence of a court martial.

*Article 60.* All sutlers and retainers to the camp, and all persons whatsoever, serving with the armies of the United States in the field, though not enlisted soldiers, are to be subject to orders, according to the rules and discipline of war.

*Article 61.* Officers having brevets or commissions of a prior date to those of the regiment in which they serve, may take place in courts martial and on detachments, when composed of different corps, according to the ranks given them in their brevets, or dates of their former commissions; but in the regiment, troop, or company, to which such officers belong, they shall do duty and take rank, both in courts martial and on detachments, which shall be composed only of their own corps, according to the commissions by which they are mustered in the said corps.

*Article 62.* If, upon marches, guards, or in quarters, different corps of the army shall happen to join, or do duty together, the officer highest in rank of the line of the army, marine corps, or militia, by commission there, on duty, or in quarters, shall command the whole, and give orders for what is needful to the service, unless otherwise specially directed by the president of the United States, according to the nature of the case.

*Article 63.* The functions of the engineers being generally confined to the most elevated branch of military science, they are not to assume, nor are they subject to be ordered on, any duty beyond the line of their immediate profession, except by the special order of the president of the United States; but they are to receive every mark of respect to which their rank in the army may entitle them, respectively, and are liable to be transferred, at the discretion of the president, from one corps to another, regard being paid to rank.

*Article 64.* General courts martial may consist of any number of commissioned officers, from five to thirteen, inclusively; but they shall not consist of less than thirteen, where that number can be convened, without manifest injury to the service.

*Article 65.* Any general officer commanding an army, or colonel commanding a separate department, may appoint general courts martial, whenever necessary. But no sentence of a court martial shall be carried into execution until after the whole proceedings shall have been laid before the officer ordering the same, or the officer commanding the troops for the time being; neither shall any sentence of a general court martial, in time of peace, extending to the loss of life, or the dismissal of a commissioned officer, or which shall, either in time of peace or war, respect a general officer, be carried into execution, until after the whole proceedings shall have been transmitted to the secretary of war, to be laid before the president of the United States, for his confirmation or disapproval, and orders, in the case. All other sentences may be confirmed and executed by the officer ordering the court to assemble, or the commanding officer, for the time being, as the case may be.

**Article 66.** Every officer commanding a regiment or corps, may appoint, for his own regiment or corps, courts martial, to consist of three commissioned officers, for the trial and punishment of offences not capital, and decide upon their sentences. For the same purpose, all officers commanding any of the garrisons, forts, barracks, or other places, where the troops consist of different corps, may assemble courts martial, to consist of three commissioned officers, and decide upon their sentences.

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Officers commanding regiments or corps may appoint courts martial, &c. for offences not capital. Officers commanding garrisons, &c. may assemble courts martial, &c.

**Article 67.** No garrison or regimental court martial shall have the power to try capital cases, or commissioned officers; neither shall they inflict a fine exceeding one month's pay, nor imprisonment nor put to hard labor, any noncommissioned officer or soldier, for a longer time than one month.

No garrison or regimental court martial empowered to try capital cases, &c.

**Article 68.** Whenever it may be found convenient and necessary to the public service, the officers of the marines shall be associated with the officers of the land forces, for the purpose of holding courts martial and trying offenders belonging to either; and in such cases the orders of the senior officer of either corps, who may be present and duly authorized, shall be received and obeyed.

Whenever convenient, &c. the officers of marines to be associated with officers of the land forces, for holding courts martial, &c.

**Article 69.** The judge advocate, or some person deputed by him, or by the general or officer commanding the army, detachment, or garrison, shall prosecute in the name of the United States, but shall so far consider himself as counsel for the prisoner, after the said prisoner shall have made his plea, as to object to any leading question to any of the witnesses, or any question to the prisoner, the answer to which might tend to criminate himself; and administer, to each member of the court, before they proceed upon any trial, the following oath, which shall also be taken by all members of the regimental and garrison courts martial:

The judge advocate, &c. to prosecute in the name of the United States, but shall consider himself counsel for the prisoner, so far, &c.

The judge advocate to administer an oath to each member of the court, &c.

*"You, A B, do swear that you will well and truly try and determine, according to evidence, the matter now before you, between the United States of America and the prisoner to be tried; and that you will duly administer justice, according to the provisions of 'An act establishing rules and articles for the government of the armies of the United States,' without partiality, favor, or affection: and if any doubt shall arise, not explained by said articles, according to your conscience, the best of your understanding, and the custom of war in like cases: and you do further swear, that you will not divulge the sentence of the court until it shall be published by the proper authority: neither will you disclose or discover the vote or opinion of any particular member of the court martial, unless required to give evidence thereof, as a witness, by a court of justice, in a due course of law. So help you God."*

Form of the oath.

And as soon as the said oath shall have been administered to the respective members, the president of the court shall administer to the judge advocate, or person officiating as such, an oath in the following words:

The president of the court to administer an oath to the judge advocate.

*"You, A B, do swear, that you will not disclose or discover the vote or opinion of any particular member of the court martial,*

Form of the judge advocate's oath.

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*unless required to give evidence thereof as a witness, by a court of justice, in due course of law; nor divulge the sentence of the court to any but the proper authority, until it shall be duly disclosed by the same. So help you God."*

When a prisoner, from obstinacy, &c. stands mute, &c. the court may proceed to trial, &c.

When a member is challenged by a prisoner he must state the cause, &c.

Members to behave with decency; and the youngest in commission to vote first.

Persons who give evidence, &c. to be examined on oath, &c.  
Form of the oath of a witness.

In cases not capital, &c. depositions may be taken, and read, &c. provided the prosecutor and accused are present, &c.

No officer to be tried but by a general court martial, &c.  
No proceedings except between eight and three, unless, &c.

No person to use menacing words or gestures, &c. in presence of a court martial, &c.

When an officer is charged with a crime, he is to be arrested, deprived of his sword, &c.

Noncommissioned officers and soldiers charged with crimes to be confined until tried, &c.

Officers and soldiers in arrest not to continue in confinement more than eight days, &c.  
No officer commanding a guard, &c. to re-

*Article 70.* When a prisoner arraigned before a general court martial shall, from obstinacy and deliberate design, stand mute, or answer foreign to the purpose, the court may proceed to trial and judgment as if the prisoner had regularly pleaded not guilty.

*Article 71.* When a member shall be challenged by a prisoner, he must state his cause of challenge, of which the court shall, after due deliberation, determine the relevancy or validity, and decide accordingly; and no challenge to more than one member at a time shall be received by the court.

*Article 72.* All the members of a court martial are to behave with decency and calmness; and, in giving their votes, are to begin with the youngest in commission.

*Article 73.* All persons who give evidence before a court martial, are to be examined on oath or affirmation, in the following form:

*"You swear, or affirm, (as the case may be) the evidence you shall give in the cause now in hearing shall be the truth, the whole truth, and nothing but the truth. So help you God."*

*Article 74.* On the trials of cases not capital, before courts martial, the deposition of witnesses, not in the line or staff of the army, may be taken before some justice of the peace, and read in evidence: *Provided*, the prosecutor and the person accused are present at the taking the same, or are duly notified thereof.

*Article 75.* No officer shall be tried but by a general court martial, nor by officers of an inferior rank, if it can be avoided: nor shall any proceedings or trials be carried on excepting between the hours of eight in the morning, and three in the afternoon, excepting in cases which, in the opinion of the officer appointing the court martial, require immediate example.

*Article 76.* No person whatsoever shall use any menacing words, signs, or gestures, in presence of a court martial, or shall cause any disorder or riot, or disturb their proceedings, on the penalty of being punished, at the discretion of the said court martial.

*Article 77.* Whenever any officer shall be charged with a crime, he shall be arrested and confined in his barracks, quarters, or tent, and deprived of his sword, by the commanding officer. And any officer who shall leave his confinement, before he shall be set at liberty by his commanding officer, or by a superior officer, shall be cashiered.

*Article 78.* Noncommissioned officers and soldiers, charged with crimes, shall be confined, until tried by a court martial, or released by proper authority.

*Article 79.* No officer or soldier who shall be put in arrest, shall continue in confinement more than eight days, or until such time as a court martial can be assembled.

*Article 80.* No officer commanding a guard, or provost marshal, shall refuse to receive or keep any prisoner committed to his charge, by an officer belonging to the forces of the United

States; provided the officer committing shall, at the same time, deliver an account in writing, signed by himself, of the crime with which the said prisoner is charged. 1806.  
to receive a prisoner, provided, &c.

*Article 81.* No officer commanding a guard, or provost marshal, shall presume to release any person committed to his charge, without proper authority for so doing, nor shall he suffer any person to escape, on the penalty of being punished for it by the sentence of a court martial. No officer commanding a guard, &c. to release any person committed to his charge, &c.

*Article 82.* Every officer or provost marshal, to whose charge prisoners shall be committed, shall, within twenty-four hours after such commitment, or as soon as he shall be relieved from his guard, make report in writing, to the commanding officer, of their names, their crimes, and the names of the officers who committed them, on the penalty of being punished for disobedience or neglect, at the discretion of a court martial. Officers to whom prisoners are committed to make report, &c. within 24 hours, of their names, crimes, &c.

*Article 83.* Any commissioned officer, convicted before a general court martial of conduct unbecoming an officer and a gentleman, shall be dismissed the service. Commissioned officers convicted, &c. of conduct unbecoming an officer, &c. to be dismissed, &c.

*Article 84.* In cases where a court martial may think it proper to sentence a commissioned officer to be suspended from command, they shall have power also to suspend his pay and emoluments for the same time, according to the nature and heinousness of the offence. In cases where a court martial suspends an officer from command, they are empowered to suspend his pay and emoluments, &c.

*Article 85.* In all cases where a commissioned officer is cashiered for cowardice or fraud, it shall be added, in the sentence, that the crime, name, and place of abode and punishment, of the delinquent, be published in the newspapers in and about the camp, and of the particular state from which the offender came, or where he usually resides, after which it shall be deemed scandalous for an officer to associate with him. Where a commissioned officer is cashiered for cowardice or fraud, the crime, name, &c. of the delinquent, to be published in the newspapers, &c.

*Article 86.* The commanding officer of any post or detachment, in which there shall not be a number of officers adequate to form a general court martial, shall, in cases which require the cognizance of such a court, report to the commanding officer of the department, who shall order a court to be assembled at the nearest post or detachment, and the party accused, with necessary witnesses, to be transported to the place where the said court shall be assembled. Where there are not officers adequate to form a general court martial, the commanding officer of the detachment, &c. to report to the commanding officer of the department, &c.

*Article 87.* No person shall be sentenced to suffer death, but by the concurrence of two-thirds of the members of a general court martial, nor except in the cases herein expressly mentioned; nor shall more than fifty lashes be inflicted on any offender, at the discretion of a court martial; and no officer, noncommissioned officer, soldier, or follower of the army, shall be tried a second time for the same offence. No person to be sentenced to death but by the concurrence of two-thirds of the members of a general court martial, &c. nor more than fifty lashes, &c.

*Article 88.* No person shall be liable to be tried and punished by a general court martial for any offence which shall appear to have been committed more than two years before the issuing of the order for such trial, unless the person, by reason of having absented himself, or some other manifest impediment, shall not have been amenable to justice within that period. No person liable to be tried and punished by a general court martial for any offence committed more than two years before, unless, &c.

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Every officer authorized to order a general court martial, empowered to pardon or mitigate any punishment, &c. except, &c.

The colonel, &c. of a regiment or garrison, &c. may pardon or mitigate, &c.

Every judge advocate, &c. to transmit, as expeditiously as possible, the original proceedings and sentence of general courts martial to the secretary of war, &c.

The party tried by a general court martial entitled to a copy of the sentence, &c.

Where the general, &c. may order a court of inquiry, &c. the court to consist of not exceeding three, and a judge advocate, &c. to be sworn, &c.

The court of inquiry to have the same power as courts martial to summon witnesses, &c. but is not to give an opinion unless specially required, &c.

Proceedings of courts of inquiry to be authenticated by the signatures of the recorder and president, &c. and may be admitted as evidence by courts martial in cases not capital, &c. provided, &c.

Courts of inquiry prohibited, unless directed by the president, &c.

The judge advocate, &c. to administer an oath to the members.

**Article 89.** Every officer authorized to order a general court martial, shall have power to pardon or mitigate any punishment ordered by such court, except the sentence of death, or of cashiering an officer; which, in the cases where he has authority (by article 65) to carry them into execution, he may suspend, until the pleasure of the president of the United States can be known; which suspension, together with copies of the proceedings of the court martial, the said officer shall immediately transmit to the president, for his determination. And the colonel or commanding officer of the regiment or garrison, where any regimental or garrison court martial shall be held, may pardon or mitigate any punishment ordered by such court to be inflicted.

**Article 90.** Every judge advocate, or person officiating as such, at any general court martial, shall transmit, with as much expedition as the opportunity of time and distance of place can admit, the original proceedings and sentence of such court martial to the secretary of war, which said original proceedings and sentence shall be carefully kept and preserved in the office of said secretary, to the end that the persons entitled thereto may be enabled, upon application to the said office, to obtain copies thereof.

The party tried by any general court martial shall, upon demand thereof, made by himself or by any person or persons in his behalf, be entitled to a copy of the sentence and proceedings of such court martial.

**Article 91.** In cases where the general, or commanding officer, may order a court of inquiry, to examine into the nature of any transaction, accusation, or imputation, against any officer or soldier, the said court shall consist of one or more officers, not exceeding three, and a judge advocate, or other suitable person, as a recorder, to reduce the proceedings and evidence to writing, all of whom shall be sworn to the *faithful performance of their duty*. This court shall have the same power to summon witnesses as a court martial, and to examine them on oath. But they shall not give their opinion on the merits of the case, excepting they shall be thereto specially required. The parties accused shall also be permitted to cross examine and interrogate the witnesses, so as to investigate fully the circumstances in the question.

**Article 92.** The proceedings of a court of inquiry must be authenticated by the signature of the recorder and the president, and delivered to the commanding officer: and the said proceedings may be admitted as evidence by a court martial, in cases not capital, or extending to the dismissal of an officer: *Provided*, That the circumstances are such that oral testimony cannot be obtained. But as courts of inquiry may be perverted to dishonorable purposes, and may be considered as engines of destruction to military merit, in the hands of weak and envious commandants, they are hereby prohibited, unless directed by the president of the United States, or demanded by the accused.

**Article 93.** The judge advocate, or recorder, shall administer to the members the following oath:

*"You shall well and truly examine and inquire, according to your evidence, into the matter now before you, without partiality, favor, affection, prejudice, or hope of reward: So help you God."* 1806.

After which the president shall administer to the judge advocate, or recorder, the following oath:

*"You, A B, do swear that you will, according to your best abilities, accurately and impartially record the proceedings of the court, and the evidence to be given in the case in hearing: So help you God."*

The witnesses shall take the same oath as witnesses sworn before a court martial.

**Article 94.** When any commissioned officer shall die, or be killed, in the service of the United States, the major of the regiment, or the officer doing the major's duty in his absence, or, in any post or garrison, the second officer in command, or the assistant military agent, shall immediately secure all his effects or equipage, then in camp or quarters, and shall make an inventory thereof, and forthwith transmit the same to the office of the department of war, to the end that his executors or administrators may receive the same.

**Article 95.** When any noncommissioned officer or soldier shall die, or be killed, in the service of the United States, the then commanding officer of the troop, or company, shall, in the presence of two other commissioned officers, take an account of what effects he died possessed of, above his arms and accoutrements, and transmit the same to the office of the department of war; which said effects are to be accounted for, and paid, to the representatives of such deceased noncommissioned officer or soldier. And in case any of the officers, so authorized to take care of the effects of deceased officers and soldiers, should, before they have accounted to their representatives for the same, have occasion to leave the regiment, or post, by preferment, or otherwise, they shall, before they be permitted to quit the same, deposit, in the hands of the commanding officer, or of the assistant military agent, all the effects of such deceased noncommissioned officers and soldiers, in order that the same may be secured for, and paid to, their respective representatives.

**Article 96.** All officers, conductors, gunners, matrosses, drivers, or other persons whatsoever, receiving pay, or hire, in the service of the artillery, or corps of engineers, of the United States, shall be governed by the aforesaid rules and articles, and shall be subject to be tried by courts martial, in like manner with the officers and soldiers of the other troops in the service of the United States.

**Article 97.** The officers and soldiers of any troops, whether militia or others, being mustered and in pay of the United States, shall, at all times, and in all places, when joined, or acting in conjunction, with the regular forces of the United States, be governed by these rules and articles of war, and shall be subject to be tried by courts martial, in like manner with the officers and soldiers in the regular forces, save only that such courts martial shall be composed entirely of militia officers,

Form of the oath.

The president of the court to administer an oath to the judge advocate. Form of judge advocate's oath.

Witnesses to take the oath, &c.

When a commissioned officer dies, &c. the major of the regiment, &c. is immediately to secure all his effects, &c. then in camp, &c. make an inventory, and transmit it to the war department, &c.

When a non-commissioned officer or soldier dies, &c. the commanding officer of the troop, &c. is to take an account of what effects he died possessed of, &c. and transmit it to the department of war, &c. and the effects to be accounted for, &c.

In case officers authorized to take care of the effects of deceased officers and soldiers, have occasion to leave the regiment, &c. they are to deposit the effects in the hands of the commanding officer, &c.

Officers, &c. in the corps of engineers, &c. to be governed by the preceding rules, &c.

Officers and soldiers of any troops, militia or others, being mustered, &c. when acting with regular forces to be governed by these rules and articles, subject to be tried by courts martial, &c. save that the courts are to be composed of militia officers.

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Officers serving by commission from the authority of any particular state, when employed in conjunction with the regular forces, to take rank next after all officers of like grade in the regular forces, &c.

All crimes not capital, and all disorders and neglects, &c., though not mentioned in the preceding articles, to be taken cognizance of by court martial, &c.

The president empowered to prescribe the uniform of the army.

The foregoing articles to be read and published, once in every six months, to every garrison, regiment, &c.

In time of war, aliens found lurking about fortifications or the encampments of the armies, to suffer death, &c.

The rules and regulations by which the armies have been heretofore governed, &c., to be henceforth void, &c., except, &c.

**Article 98.** All officers serving by commission from the authority of any particular state, shall, on all detachments, courts martial, or other duty, wherein they may be employed in conjunction with the regular forces of the United States, take rank next after all officers of the like grade in said regular forces, notwithstanding the commissions of such militia or state officers may be elder than the commissions of the officers of the regular forces of the United States.

**Article 99.** All crimes not capital, and all disorders and neglects which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not mentioned in the foregoing articles of war, are to be taken cognizance of by a general or regimental court martial, according to the nature and degree of the offence, and be punished at their discretion.

**Article 100.** The president of the United States shall have power to prescribe the uniform of the army.

**Article 101.** The foregoing articles are to be read and published once in every six months, to every garrison, regiment, troop, or company, mustered, or to be mustered, in the service of the United States, and are to be duly observed and obeyed by all officers and soldiers who are, or shall be, in said service.

**SECT. 2.** *And be it further enacted,* That, in time of war, all persons not citizens of, or owing allegiance to, the United States of America, who shall be found lurking, as spies, in or about the fortifications or encampments of the armies of the United States, or any of them, shall suffer death, according to the law and usage of nations, by sentence of a general court martial.

**SECT. 3.** *And be it further enacted,* That the rules and regulations by which the armies of the United States have heretofore been governed, and the resolves of congress thereunto annexed, and respecting the same, shall henceforth be void and of no effect, except so far as may relate to any transactions under them prior to the promulgation of this act, at the several posts and garrisons, respectively, occupied by any part of the army of the United States. [Approved, April 10, 1806.]

[NOTE. The rules and regulations which, by the 3d section of the preceding act, are repealed, were adopted by congress on the 20th of September, 1776, and were afterwards amended. As they are entirely superseded by the above act, and as their provisions are embraced therein, in an improved form, it is deemed unnecessary to insert them in this edition of the Laws. By the 7th section of the act of the 16th May, 1812, so much of the rules and articles for the government of the armies of the United States as authorizes the infliction of corporeal punishment, by stripes or lashes, is repealed. See chap. 409, post.]

## CHAP. 21. [XXI.] An act relating to bonds given by marshals.\*

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the bond heretofore given, or which may hereafter be given, by the marshal of any district, for the faithful performance of the

\* See act of 34th Sept. 1790; chap. 26, s. c. 27, page 60, vol. 2.]

Bonds given by marshals, for the faithful performance of

duties of his office, shall be filed and recorded in the office of the clerk of the district court, or circuit court sitting within the district, for which such marshal shall have been appointed, and copies thereof, certified by the clerk, under the seal of the said court, shall be competent evidence in any court of justice.

SECT. 2. *And be it further enacted,* That it shall be lawful, in case of the breach of the condition of any such bond, for any person, persons, or body politic, thereby injured, to institute a suit upon such bond, in the name and for the sole use of such party, and thereupon to recover such damages as shall be legally assessed, with costs of suit; for which execution may issue for such party in due form: and in case such party shall fail to recover in the suit, judgment shall be rendered and execution may issue for costs in favor of the defendant or defendants, against the party who shall have instituted the suit; and the United States shall in no case be liable for the same.

SECT. 3. *And be it further enacted,* That the said bonds shall, after any judgment or judgments rendered thereon, remain as a security, for the benefit of any person, persons, or body politic, injured by breach of the condition of the same, until the whole penalty shall have been recovered; and the proceedings shall be always in the same manner, and as hereinbefore directed.

SECT. 4. *And be it further enacted,* That all suits on marshals' bonds, if the right of action has already accrued, shall be commenced and prosecuted within three years after the passage of this act, and not afterwards. And all such suits, in case the right of action shall accrue hereafter, shall be commenced and prosecuted within six years after the said right of action shall have accrued, and not afterwards; saving, nevertheless, the rights of infants, feme coverts, and persons non compos mentis, so that they sue within three years after their disabilities are removed. [Approved, April 10, 1806.]

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their duties, to be filed and recorded in the office of the clerk of the circuit or district court, &c. and certified copies to be evidences, &c.

In case of the breach of condition of any marshal's bond, persons, &c. injured may institute suit thereon for their sole use, and recover, &c.

The United States in no case liable.

The bonds, after judgment, &c. to remain as security, &c. for benefit of persons injured, until the whole penalty has been recovered, &c.

Suits on marshals' bonds, where the right of action has accrued, to be commenced within three years, &c. and, where the right accrues hereafter, within six years, &c. Infants, feme coverts, &c. to sue within three years after their disabilities are removed, &c.

## CHAP. 22. [XXII.] An act regulating the currency of foreign coins in the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the passage of this act, foreign gold and silver coins shall pass current as money within the United States, and be a legal tender for the payment of all debts and demands, at the several and respective rates following, and not otherwise, viz:

The gold coins of Great Britain and Portugal, of their present standard, at the rate of one hundred cents for every twenty-seven grains of the actual weight thereof; the gold coins of France, Spain, and the dominions of Spain, of their present standard, at the rate of one hundred cents for every twenty-seven grains and two-fifths of a grain of the actual weight thereof. Spanish milled dollars, at the rate of one hundred cents for each, the actual weight whereof shall not be less than seventeen pen-

After the 10th of April, 1806, foreign gold and silver coins to pass current as money, and be a legal tender, &c. at the rates specified, &c.

Rates of foreign gold coins.

Rates of foreign silver coins.



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The secretary of the treasury to cause assays of foreign gold and silver coin to be had at the mint, at least once a year, and report to congress, &c.

The secretary of the treasury to cause assays of foreign gold and silver coins, &c. which may issue subsequent to the passage of this act, &c. once a year, and report to congress, &c.

The first sec. of the act mentioned, repealed, and the operation of the 3d sec. suspended until the 10th April, 1809. [<sup>\*</sup> See chap. 150, page 336, vol. 2.]

nyweights and seven grains, and in proportion for the parts of a dollar. Crowns of France, at the rate of one hundred and ten cents for each crown, the actual weight whereof shall not be less than eighteen pennyweights and seventeen grains, and in proportion for the parts of a crown. And it shall be the duty of the secretary of the treasury to cause assays of the foreign gold and silver coins made current by this act, to be had at the mint of the United States, at least once in every year, and to make report of the result thereof to congress, for the purpose of enabling them to make such alterations in this act, as may become requisite, from the real standard value of such foreign coins. And it shall be the duty of the secretary of the treasury to cause assays of the foreign gold and silver coins of the description made current by this act, which shall issue subsequently to the passage of this act, and shall circulate in the United States, at the mint aforesaid, at least once in every year, and to make report of the result thereof to congress, for the purpose of enabling congress to make such coins current, if they shall deem the same to be proper, at their real standard value.

SECT. 2. *And be it further enacted*, That the first section of the act, entitled "An act regulating foreign coins, and for other purposes,"\* passed the ninth day of February, one thousand seven hundred and ninety-three, be, and the same is hereby, repealed. And the operation of the second section of the same act shall be, and hereby is, suspended, for and during the space of three years from the passage of this act.

[*Approved, April 10, 1806.*]

CHAP. 23. [XXIII.] An act to regulate and fix the compensations of the officers of the senate and house of representatives.

The officers of the senate and house to receive the sums mentioned, in lieu, &c.

The secretary and clerk, 3,000 dollars each. Principal clerks, 1,300 each. Engraving clerk, 1,000 dolls.

The sergeants at arms and doorkeepers of the senate and the house to receive 900 dolls. per ann. each. Assistant doorkeepers to receive 900 dolls. per ann. each.

[<sup>†</sup> Increased. See act of 3d March, 1815; chap. 707, post.] Any appropriation out of the contingent fund

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the officers of the senate and house of representatives hereinafter mentioned, shall be, and hereby are, entitled to receive, in lieu of their compensations fixed by law, the following sums, that is to say: The secretary of the senate, and clerk of the house of representatives, two thousand dollars, each; their principal clerks, one thousand three hundred dollars, each; and each of their engraving clerks, one thousand dollars per annum.

SECT. 2. *And be it further enacted*, That the sergeant at arms of the senate, who also performs the duty of a doorkeeper, the sergeant at arms, and the doorkeeper, of the house of representatives, shall be, and they are hereby, entitled to receive nine hundred and fifty dollars per annum, each; and that the assistant doorkeeper of the senate, and the assistant doorkeeper of the house of representatives, shall be, and they are hereby, entitled to receive nine hundred dollars per annum, each.†

SECT. 3. *And be it further enacted*, That any appropriation which shall be made by the senate, or house of representatives, out of the contingent fund of either house, towards the compen-

sation of any of the officers of the senate, or house of representatives, shall be taken and considered as a part of the salary allowed by this act.

SECT. 4. *And be it further enacted*, That the compensations provided for in this act shall commence and take effect from and after the thirty-first day of March, one thousand eight hundred and six.

SECT. 5. *And be it further enacted*, That the act, entitled "An act to regulate and fix the compensations of the officers of the senate and house of representatives,"\* passed on the twenty-ninth of April, one thousand eight hundred and two, shall, from and after the thirty-first of March, one thousand eight hundred and six, be, and the same is hereby, repealed.

[*Approved, April 10, 1806.*]

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of either house, towards the compensation of officers to be considered as part of the salary, &c.  
The compensations provided by this act to commence from the 31st March, 1806.  
The act mentioned, repealed.  
[\* Chap. 295, vol. 3.]

CHAP. 24. [XXIV.] An act directing the secretary of the treasury to cause the coast of North Carolina, between Cape Hatteras and Cape Fear, to be surveyed.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of the treasury be, and he is hereby, directed to cause the coast of North Carolina to be correctly surveyed, between cape Hatteras and cape Fear; together with the shoals lying off and between these respective capes, or head lands, and to report at the next session of congress on the practicability of erecting a lighthouse, lighted beacon or buoy, on or near the extreme point of these shoals, or either of them. And the sum of five thousand dollars is hereby appropriated for the purpose of defraying any expense which may be incurred in making such survey, to be paid out of any money in the treasury, not otherwise appropriated. [*Approved, April 10, 1806.*]

The secretary of the treasury directed to cause the coast of North Carolina to be correctly surveyed between cape Hatteras and cape Fear, &c. and to report on the practicability of erecting a lighthouse, &c.  
\$5,000 dolls. appropriated to defray the expense of survey, &c.

CHAP. 25. [XXV.] An act to provide for persons who were disabled by known wounds received in the revolutionary war.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That any commissioned or noncommissioned officer, musician, soldier, marine, or seaman, disabled in the actual service of the United States, while in the line of his duty, by known wounds received during the revolutionary war, and who did not desert the service; or who, in consequence of disability as aforesaid, resigned his commission or took a discharge; or who, after incurring disability as aforesaid, was taken captive by the enemy, and remained either in captivity or on parole, until the close of said revolutionary war; or who, in consequence of known wounds received as aforesaid, has, at any period since, become and continued disabled in such manner as to render him unable to procure a

Officers, soldiers, musicians, marines, or seamen, disabled in the actual service of the United States, while in the line of duty, &c. upon substantiating their claims, &c. to be placed on the pension list, &c.

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subsistence by manual labor; whether such officer, musician, soldier, marine, or seaman, served as a volunteer, in any proper service against the common enemy, or belonged to a detachment of the militia, which served against the common enemy, or to the regular forces of the United States, or of any particular state, he shall, upon substantiating his claim, in the manner hereinafter described, be placed on the pension list of the United States, during life, or the continuance of such disability, and be entitled, under the regulations hereinafter mentioned, to receive such sum as shall be found just and proper, by the testimony adduced.

Rules and regulations in substantiating claims. All evidence to be taken on oath before the judge of the district, &c.

SECT. 2. *And be it further enacted*, That, in substantiating such claim, the following rules and regulations shall be complied with, that is to say: All evidence shall be taken on oath or affirmation, before the judge of the district, or one of the judges of the territory in which such claimant resides, or before some person specially authorized by commission from said judge.

Decisive disability, &c. must be proved by the affidavit of the commanding officer, &c. or of two other credible witnesses, &c.

Decisive disability, the effect of a known wound or wounds, received while in the actual service, and line of duty against the common enemy, during the revolutionary war, must be proved by the affidavit of the commanding officer of the regiment, corps, company, ship, vessel, or craft, in which such claimant served; or of two other credible witnesses to the same effect, setting forth the time when, and place where, such known wound or wounds were received, and particularly describing the same.

The nature of the disability, &c. must be proved by the affidavit of a reputable physician or surgeon, &c.

The nature of such disability, and in what degree it prevents the claimant from obtaining his subsistence, must be proved by the affidavit of some reputable physician or surgeon, stating his opinion, either from his own knowledge and acquaintance with the claimant, or from an examination of such claimant on oath or affirmation; which, when necessary for that purpose, shall be administered to said claimant by said judge or commissioner. And the said physician or surgeon, in his affidavit, shall particularly describe the wound or wounds from whence the disability appears to be derived.

The physician or surgeon to describe the wound in the affidavit, &c.

Every claimant must prove that he continued in service during the whole time for which he was detached, &c. and his mode of life and employment since he left the service, &c.

Every claimant must prove, by at least one credible witness, that he continued in service during the whole time for which he was detached, or for which he engaged, unless he was discharged, or left the service in consequence of some derangement of the army, or, in consequence of his disability, resigned his commission; or was, after his disability, in captivity or on parole, until the close of the revolutionary war. And in the same manner must prove his mode of life and employment since he left the service, and the place or places where he has since resided, and his place of residence at the time of taking such testimony.

Every claimant to give satisfactory reasons why he did not make application for a pension before, &c.

Every claimant shall, by his affidavit, give satisfactory reasons why he did not make application for a pension before, and that he is not on the pension list of any state; and the judge or commissioner shall certify, in writing, his opinion of the credibility of the witnesses whose affidavits he shall take, in all those cases where, by this act, it is said the proof shall be made by a credible witness or witnesses; and also, that the examining physician or surgeon is reputable in his profession.

The judge, &c. to certify the credibility of witnesses whose affidavits he takes, &c.

**SECT. 3.** *And be it further enacted,* That the said judge of the district, or person by him commissioned as aforesaid, shall transmit a list of such claims, accompanied by the evidence, affidavits, certificates, and proceedings had thereon in pursuance of this act, noting particularly the day on which the testimony was closed before him, to the secretary for the department of war, that the same may be compared with muster rolls, or other documents, in his office: and the said secretary shall make a statement of all such cases, which, together with all the testimony, he shall, from time to time, transmit to congress, with such remarks as he may think proper, that congress may be enabled to place such claimants on the pension list as shall be found entitled to the privilege. And it shall be the duty of the judge, or commissioner aforesaid, to permit each claimant to take a transcript of the evidence and proceedings had respecting his claim, if he shall desire it, and to certify the same to be correct.

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The district judge, &c. to transmit a list of the claims, with the evidence, &c. to the secretary of war, &c.

The secretary of war to make a statement, &c. and transmit it to congress, with remarks, &c.

The judge, &c. to permit each claimant to take a transcript of the evidence and proceedings respecting his claim, &c.

Every pension, &c. in virtue of this act, to commence on the day the claimant completed his testimony, &c.

**SECT. 4.** *And be it further enacted,* That every pension, or increase thereof, by virtue of this act, shall commence on the day when the claimant shall have completed his testimony before the authority proper to take the same.

**SECT. 5.** *And be it further enacted,* That an increase of pension may be allowed to persons already placed upon the pension list of the United States, for disabilities caused by known wounds received during the revolutionary war, in all cases where justice shall require the same: *Provided,* That the increase, when added to the pension formerly received, shall in no case exceed a full pension.

Increase of pension may be allowed to persons already on the list, for disabilities, &c. received during the revolutionary war; provided, &c.

Every invalid making application for this purpose, shall be examined by two reputable physicians or surgeons, to be authorized by commission from the judge of the district where such invalid resides; who shall report, in writing, on oath or affirmation, their opinion of the nature of the applicant's disability, and in what degree it prevents him from obtaining a subsistence by manual labor; which report shall be transmitted, by said physicians or surgeons, to the secretary for the department of war, who shall compare the same with the documents in his office, and shall make a statement of all such cases, which, together with the original report, he shall, from time to time, transmit to congress, with such remarks as he may think proper, that they may be enabled to do justice to such pensioners.

Invalid making application for an increase of pension, to be examined by physicians, &c. who are to report, in writing, on oath, &c.

**SECT. 6.** *And be it further enacted,* That a full pension given by this act to a commissioned officer, shall be one-half of the monthly pay, legally allowed, at the time of incurring said disability, to his grade in the forces raised by the United States; and the proportions, less than a full pension, shall be the correspondent proportions of said half pay; and a full pension to a non-commissioned officer, musician, soldier, marine, or seaman, shall be five dollars a month, and the proportions, less than a full pension, shall be the like proportions of five dollars a month; but no pension of a commissioned officer shall be calculated at a higher rate than the half pay of a lieutenant colonel.

The report, &c. to be transmitted to congress, &c.

A full pension to a commissioned officer to be one-half the monthly pay, &c.

The proportions, less, &c. to correspond, &c. A full pension to a non-commissioned officer, soldier, &c. to be five dolls. a month, &c. No pension of a commissioned officer to be higher than half pay of a lieutenant col.

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Pensions, &c. allowed by this act, to be paid as pensions to invalids heretofore placed on the list, &c.

**SECT. 7.** *And be it further enacted,* That the pensions, or increase thereof, which may be allowed by this act, shall be paid in the same manner as pensions to invalids who have been heretofore placed on the pension list are now paid, and under such restrictions and regulations, in all respects, as are prescribed by law.

Sale, transfer, or mortgage, of pensions payable to non-commissioned officers, soldiers, &c. before being due, not valid. Persons claiming pensions under powers of attorney, &c. to make oath that the power have not been given by reason of any transfer, &c.

Persons swearing falsely, to suffer as for wilful and corrupt perjury. [\* See chap. 36, sec. 18, page 96, vol. 3.]

All laws heretofore passed, authorizing persons to be placed on the pension list in consequence of wounds received in the revolutionary war, repealed, &c.

**SECT. 8.** *And be it further enacted,* That, from and after the passage of this act, no sale, transfer, or mortgage, of the whole, or any part, of the pension payable to any noncommissioned officer, musician, soldier, marine, or seaman, before the same becomes due, shall be valid. And every person claiming such pension, or any part thereof, under power of attorney or substitution, shall, before the same is paid, make oath or affirmation, before some magistrate, legally authorized to take the same, a copy of which, attested by said magistrate, shall be lodged with the person who pays said pension, that such power or substitution is not given by reason of any transfer of such pension, or part thereof. And any person who shall swear or affirm falsely in the premises, and be thereof convicted, shall suffer as for wilful and corrupt perjury.\*

**SECT. 9.** *And be it further enacted,* That all laws of the United States heretofore passed, so far as they authorize persons to be placed on the pension list of the United States, for, and in consequence of, disabilities derived from known wounds received in the revolutionary war, shall be, and they are hereby, repealed: *Provided,* That nothing in this repealing clause shall injure, or in any way affect, those persons already upon the pension list of the United States; and that the secretary for the department of war shall proceed upon the testimony which has been transmitted to him by any claimant, before the passage of this act, in the same manner as though this act had never passed.

This act, so far, &c. limited to six years, &c. [Repealed, and continued for six years, by act of 28th April, 1812; chap. 392, post.]

**SECT. 10.** *And be it further enacted,* That this act, so far as it authorizes the admission of persons upon the pension list of the United States, shall remain in force for and during the space of six years from the passage thereof, and no longer:† *Provided,* That this limitation shall not affect or impair the right of any invalid who may have completed his testimony, in the manner prescribed by this act, before this limitation commences its operation, but which has not been transmitted to the secretary for the department of war. [Approved, April 10, 1806.]

[† See act of 21st March, 1806; chap. 141, post.]

The secretary of war authorized to issue military land warrants to persons who, before, &c. produce evid. nec., &c.

The warrants, &c. may be loaned.

**CHAP. 26. [XXVI.]** An act to authorize the secretary of war to issue land warrants; and for other purposes.†

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of war be authorized to issue military land warrants, to such persons as have or shall, before the first day of March, one thousand eight hundred and eight, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued, and not yet satisfied,

shall and may be located in the names of the holders or proprietors thereof, at any time prior to the first day of October, one thousand eight hundred and eight, on any unlocated parts of the fifty quarter townships and the fractional quarter townships reserved by law for original holders of military land warrants.

SECT. 2. *And be it further enacted*, That it shall be the duty of the surveyor general, under the direction of the secretary of the treasury, to cause to be surveyed so much of the fifty quarter townships and the fractional quarter townships aforesaid, as have been, or hereafter may be, located according to law, in conformity with the locations made on the plats of the said quarter townships: *Provided*, the whole expense of surveying the same shall not exceed three dollars for every mile actually surveyed.

[*Approved, April 15, 1806.*]

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ed, in the names of the holders, &c. at any time prior to the 1st Oct. 1808, on any part of the fifty quarter townships, &c. reserved, &c. The surveyor general to cause so much of the 50 quarter townships, &c. to be surveyed, as may be located according to law, &c. *Provided*; the whole expense of surveying not to exceed 3 dolls. for every mile, &c.

CHAP. 27. [XXVII.] An act for the relief of Gilbert C. Russell.\*

[\* Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That there be paid to Gilbert C. Russell, late a captain of a company of mounted infantry, of the state of Tennessee, out of any moneys in the treasury not otherwise appropriated by law, the sum of six hundred and seventeen dollars and ninety-five cents, for so much by him expended to the use of the United States, for provision and forage, supplied by him, for his men and horses, and for ferriages paid, on a tour of duty from the state of Tennessee to the Natchez; performed under the order of the president of the United States, by virtue of "An act to enable the president of the United States to take possession of the territories ceded by France to the United States, by the treaty concluded at Paris on the thirtieth of April last, and for the temporary government thereof."† [*Approved, April 15, 1806.*]

617 dolls. 95 cents to be paid to Gilbert C. Russell, a captain of mounted infantry, for that amount by him expended for provision and forage for his men and horses, on a tour of duty to Natches, &c.

[† Chap. 346. vol. 3.]

CHAP. 28. [XXVIII.] An act to suspend the sale of certain lands in the state of Ohio, and the Indiana territory.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the operation of the sixth condition of the fifth section of the act, entitled "An act to amend the act, entitled "An act providing for the sale of the lands of the United States northwest of the Ohio, and above the mouth of Kentucky river,"‡ be, and the same is hereby, suspended until the first day of October next, in favor of such purchasers of lands under the said act, who shall exhibit satisfactory proof to the register and receiver of public moneys in the respective districts where they reside, that they were actual settlers on the land so purchased at the time of passing this act. [*Approved, April 15, 1806.*]

The operation of the 6th condition of the 5th section of the act mentioned, suspended until the 1st of Oct. 1806, in favor of purchasers who exhibit proof that they were actual settlers at the time of passing this act, &c. [† Chap. 269, vol. 3.]

1806. CHAP. 29. [XXIX.] An act to prohibit the importation of certain goods, wares, and merchandise.\*

[\* Suspended by act of 19th Dec. 1806; chap. 86, post. and repealed by act of 1st March, 1809, sec. 17, chap. 195, post.] No goods, &c. of the description mentioned, to be imported from Great Britain, &c. after the 15th Nov. 1806. Description of articles the importation whereof is prohibited.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the fifteenth day of November next, it shall not be lawful to import into the United States, or the territories thereof, from any port or place situated in Great Britain or Ireland, or in any of the colonies or dependencies of Great Britain, any goods, wares, or merchandise, of the following description, that is to say:

All articles of which leather is the material of chief value:

All articles of which silk is the material of chief value:

All articles of which hemp or flax is the material of chief value:

All articles of which tin or brass is the material of chief value, tin in sheets excepted:

Woollen cloths, whose invoice prices shall exceed five shillings sterling per square yard:

Woollen hosiery of all kinds:

Window glass, and all other manufactures of glass:

Silver and plated wares:

Paper of every description:

Nails and spikes:

Hats:

Clothing ready made:

Millinery of all kinds:

Playing cards:

Beer, ale, and porter; and pictures and prints.†

Nor shall it be lawful to import into the United States, or the territories thereof, from any foreign port or place whatever, any of the above mentioned goods, wares, or merchandise, being of the growth, produce, or manufacture, of Great Britain or Ireland, or any of the colonies or dependencies of Great Britain: *Provided, however,* That no articles which shall, within fifteen months after the passing of this act, be imported from any place beyond the Cape of Good Hope, on board any vessel cleared out before the passing of this act, from any port within the United States or the territories thereof, for the said Cape of Good Hope, or any place beyond the same, shall be subject to the prohibition aforesaid.

[† See act of 27th Feb. 1808: chap. 139, post.] The articles described, being of the produce, &c. of Great Britain, &c. not to be imported from any foreign place whatever. *Provided;* no articles imported within fifteen months, &c. from any place beyond the Cape of Good Hope, &c. subject to the prohibition.

When articles, the importation of which is prohibited by this act, &c. are brought into the United States, &c. or are put on board any vessel, &c. with intention of importing them, they are forfeited, and the owners liable to pay treble the value, &c.

SECT. 2. *And be it further enacted,* That whenever any article or articles, the importation of which is prohibited by this act, shall, after the said fifteenth day of November next, be imported into the United States, or the territories thereof, contrary to the true intent and meaning of this act, or shall, after the said fifteenth day of November next, be put on board any ship or vessel, boat, raft, or carriage, with intention of importing the same into the United States, or the territories thereof, all such articles, as well as all other articles on board the same ship or vessel, boat, raft, or carriage, belonging to the owner of such prohibited articles, shall be forfeited, and the owner thereof shall moreover forfeit and pay treble the value of such articles.

If any of the prohibited articles, &c. are put

SECT. 3. *And be it further enacted,* That if any article or articles, the importation of which is prohibited by this act, shall,

after the said fifteenth day of November next, be put on board any ship or vessel, boat, raft, or carriage, with intention to import the same into the United States, or the territories thereof, contrary to the true intent and meaning of this act, and with the knowledge of the owner or master of such ship or vessel, boat, raft, or carriage, such ship or vessel, boat, raft, or carriage, shall be forfeited, and the owner and master thereof shall, moreover, each, forfeit and pay treble the value of such articles.

SECT. 4. *And be it further enacted*, That if any article or articles, the importation of which is prohibited by this act, and which shall, nevertheless, be on board any ship or vessel, boat, raft, or carriage, arriving, after the said fifteenth day of November next, in the United States, or the territories thereof, shall be omitted in the manifest, report, or entry, of the master, or the person having the charge or command of such ship or vessel, boat, raft, or carriage, or shall be omitted in the entry of the goods owned by the owner, or consigned to the consignee of such articles, or shall be imported or landed, or attempted to be imported or landed, without a permit, the same penalties, fines, and forfeitures, shall be incurred, and may be recovered, as in the case of similar omission or omissions, landing, importation, or attempt to land or import, in relation to articles liable to duties on their importation into the United States.

SECT. 5. *And be it further enacted*, That every collector, naval officer, surveyor, or other officer of the customs, shall have the like power and authority to seize goods, wares, and merchandise, imported contrary to the intent and meaning of this act, to keep the same in custody until it shall have been ascertained whether the same have been forfeited or not, and to enter any ship or vessel, dwelling house, store, building, or other place, for the purpose of searching for and seizing any such goods, wares, and merchandise, which he or they now have, by law, in relation to goods, wares, and merchandise, subject to duty; and if any person or persons shall conceal or buy any goods, wares, or merchandise, knowing them to be liable to seizure by this act, such person or persons shall, on conviction thereof, forfeit and pay a sum double the amount or value of the goods, wares, and merchandise, so concealed or purchased.

SECT. 6. *And be it further enacted*, That the following addition shall be inserted to the oath or affirmation taken by the masters, or persons having the charge or command, of any ship or vessel arriving at any port of the United States, or the territories thereof, after the said fifteenth day of November next, viz: "*I further swear (or affirm) that there are not, to the best of my knowledge and belief, on board [insert the denomination and name of the vessel] any goods, wares, or merchandise, the importation of which into the United States, or the territories thereof, is prohibited by law: And I do further swear (or affirm) that if I shall hereafter discover or know of any such goods, wares, or merchandise, on board the said vessel, or which shall have been imported in the same, I will immediately, and without delay, make due report thereof to the collector of the port of this district.*"

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on board any vessel, &c. with intent to import them, &c. with the knowledge of the owner or master, the vessel, &c. is forfeited, and the owner and master, each, liable to pay treble the value, &c.  
If any of the articles prohibited are on board any vessel, &c. arriving after the 15th Nov. 1806, and are omitted in the manifest, &c. or attempted to be landed without a permit, &c. the same penalties are incurred, &c. as in case of similar omissions, &c. in relation to articles liable to duties, &c.

Collectors, naval officers, &c. to have the same powers, &c. to seize goods, &c. imported contrary to this act, &c. as they have in relation to goods, &c. subject to duty.

Persons concealing or buying goods, &c. liable to seizure by this act, to forfeit and pay double the amount, &c.

Addition to be inserted to the oath taken by masters of vessel arriving after the 15th Nov. 1806.



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Addition to be inserted, after the 18th Nov. 1806, to the oath taken by importers, &c.

**SECT. 7.** *And be it further enacted, That the following addition be inserted, after the said fifteenth day of November next, to the oath or affirmation taken by importers, consignees, or agents, at the time of entering goods imported into the United States, or the territories thereof, viz: "I also swear (or affirm) that there are not, to the best of my knowledge and belief, amongst the said goods, wares, and merchandise, imported or consigned as aforesaid, any goods, wares, or merchandise, the importation of which into the United States, or the territories thereof, is prohibited by law. And I do further swear (or affirm) that if I shall hereafter discover any such goods, wares, or merchandise, amongst the said goods, wares, and merchandise, imported or consigned as aforesaid, I will immediately, and without delay, report the same to the collector of this district."*

Penalties and forfeitures arising under this act, may be sued for and recovered, &c. in the manner prescribed by the act mentioned. [\* Chap. 138, vol. 3.] The penalties, &c. may be examined, mitigated, &c. as prescribed by the act mentioned. [† Chap. 361, vol. 2.]

**SECT. 8.** *And be it further enacted, That all penalties and forfeitures arising under this act, may be sued for and recovered, and shall be distributed and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage:"\** and such penalties and forfeitures may be examined, mitigated, or remitted, in like manner, and under the like conditions, regulations, and restrictions, as are prescribed, authorized, and directed, by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned."† [Approved, April 18, 1806.]

**CHAP. 30. [XXX.]** An act supplementary to the act making provision for the payment of claims of citizens of the United States on the government of France.

The secretary of the treasury shall cause to be paid, at the treasury of the United States, the amount of certain claims of citizens of the United States against the government of France, arising from the Bordeaux embargo, in conformity with a certified list of liquidations, attested by the minister of the public treasury of France, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the secretary of the treasury shall cause to be paid, at the treasury of the United States, the amount of certain claims of citizens of the United States against the government of France, arising from the Bordeaux embargo, in conformity with a certified list of liquidations, attested by the minister of the public treasury of France, and transmitted by the minister plenipotentiary of the United States, at Paris, to the said secretary; which payments shall be made for such sums, respectively, as are stated in the above mentioned list of liquidations, to such persons, respectively, as the accounting officers of the treasury shall determine to be rightfully entitled to the same, and out of the moneys heretofore appropriated for the purpose of discharging the claims of citizens of the United States against the government of France, the payment of which was assumed by the government of the United States, by virtue of the convention of the thirtieth of April, one thousand eight hundred and three.†*

[‡ See chap. 356, vol. 3; and the convention, No. 8, page 142, vol. 1.]

[Approved, April 18, 1806.]

**CHAP. 31. [XXXI.]** An act to authorize the state of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same.

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**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for the purpose of defining the limits of the vacant and unappropriated lands in the state of Tennessee, hereafter to be subject to the sole and entire disposition of the United States, the following line be, and hereby is, established, to wit: Beginning at the place where the eastern or main branch of Elk river shall intersect the southern boundary line of the state of Tennessee; from thence, running due north, until said line shall intersect the northern or main branch of Duck river; thence, down the waters of Duck river, to the military boundary line, as established by the seventh section of an act of the state of North Carolina, entitled "An act for the relief of the officers and soldiers of the continental line, and for other purposes," (passed in the year one thousand seven hundred and eighty-three;) thence, with the military boundary line, west, to the place where it intersects the Tennessee river; thence, down the waters of the river Tennessee, to the place where the same intersects the northern boundary line of the state of Tennessee.

Line established for defining the limits of the vacant and unappropriated lands in the state of Tennessee, &c.

Description of the line.

**SECT. 2.** *And be it further enacted, That,* upon the senators and representatives from the state of Tennessee, by an instrument signed and sealed by them, respectively, making known that, in pursuance of the power in them vested, by an act of the general assembly of the state of Tennessee, entitled "An act to appoint agents to settle the dispute between this state and the United States, relative to the vacant and unappropriated lands within this state, and to procure the relinquishment of the claim of the United States to the same," and by a resolution of the senate and house of representatives of the said state of Tennessee, passed in the year one thousand eight hundred and two, as instructions therein; they do, for, and in behalf of the state of Tennessee, and in consideration of the provisions made in this act, agree and declare, that all right, title, and claim, which the state of Tennessee hath to the lands lying west and south of the line, hereinbefore established within the limits of the state of Tennessee, shall thereafter for ever cease; and that the lands aforesaid shall be and remain at the sole and entire disposition of the United States, and shall be exempted from every disposition or tax made by order, or under the authority of, the state of Tennessee, while the same shall remain the property of the United States, and for the term of five years after the same shall be sold; which said instrument shall be approved by the senate of the United States, and entered at large in their journal, and deposited in the office of the secretary of state; the United States do thereupon cede and convey to the state of Tennessee, all right, title, and claim, which the United States have to the territory of the lands lying east and north of the line hereinbefore established, within the limits of the state of Tennessee, subject to the same conditions as are contained in the act of the ge-

Upon the senators and representatives from Tennessee, by an instrument signed and sealed, &c. in behalf of that state, declaring that all right, &c. which Tennessee hath to the lands lying west and south of the line established, shall forever cease, and that the lands shall remain at the sole disposition of the United States, &c. the United States thereupon cede and convey to Tennessee all claim, &c. to the lands lying east and north of the line, &c.

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The state of Tennessee to have full power to issue grants and perfect titles of lands lying east and north of the line described, &c. The assent of congress given to an act of the state of North Carolina, authorizing the state of Tennessee to perfect titles to lands reserved, &c. subject to the conditions stated.

1. Entries of lands, &c. which might be removed, &c. to be located, and the titles perfected, within the territory ceded to Tennessee.

2. The state of Tennessee to appropriate 100,000 acres, in one entire tract, &c. for the use of two colleges, &c.

And 100,000 acres, in one tract, &c. for the use of academies, one in each county in the state, &c.

The state of Tennessee, in issuing grants, &c. to locate 640 acres to every six miles square, where, &c. for the use of schools, &c. Provision nothing in this act to affect the Indian title, &c. Proviso; the lowest price of lands sold within the ceded territory to be the same as established by congress, &c.

neral assembly of the state of North Carolina, entitled "An act for the purpose of ceding to the United States of America certain western lands therein described." And the said state of Tennessee shall thereupon have as full power and authority to issue grants and perfect titles of all lands lying east and north of the before described line, within the limits of the said state, as congress now have, or the state of Tennessee might have, by virtue of an act of the state of North Carolina, entitled "An act to authorize the state of Tennessee to perfect titles to lands reserved to this state by the cession act," to which said act the assent of congress is hereby given, so far as is necessary to carry into effect the objects of this compact; subject, nevertheless, to the following express conditions; that is to say:

*First.* That all entries of lands, rights of location, and warrants of surveys, and all interfering locations, which might be removed by the aforesaid act of cession of the state of North Carolina, and which are good and valid in law, and which were not actually located west and south of the hereinbefore described line, before the twenty-fifth day of February, one thousand seven hundred and ninety, and all interfering grants which are good and valid in law, and which have been located east and north of the said line, shall be located, and the titles thereto perfected, within the territory hereby ceded to the state of Tennessee.

*Secondly.* That the state of Tennessee shall appropriate one hundred thousand acres, which shall be located in one entire tract, within the limits of the lands reserved to the Cherokee Indians, by an act of the state of North Carolina, entitled "An act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army," passed in the year one thousand seven hundred and eighty-three, and shall be for the use of two colleges, one in East and one in West Tennessee, to be established by the legislature thereof. And one hundred thousand acres, in one tract, within the limits last aforesaid, for the use of academies, one in each county in said state, to be established by the legislature thereof; which said several tracts shall be located on lands to which the Indian title has been extinguished, and subject to the disposition of the legislature of the state, but shall not be granted or sold for less than two dollars per acre. And the proceeds of the sales of the lands aforesaid shall be vested in funds for the respective uses aforesaid, for ever. And the state of Tennessee shall, moreover, in issuing grants and perfecting titles, locate six hundred and forty acres to every six miles square in the territory hereby ceded, where existing claims will allow the same, which shall be appropriated for the use of schools for the instruction of children, for ever: *Provided*, That nothing contained in this act shall be construed to affect the Indian title, or to subject the United States to the expense of extinguishing the same. *And provided*, also, That the lowest price of all lands granted or sold within the ceded territory, shall be the same as shall be established by congress for the lands of the United States: *And provided*, nevertheless, That the people residing in said state, south of French

**Broad and Holston, and West of Big Pigeon rivers, provided** 1806.  
 for by the constitution of the state of Tennessee, shall be secured in their respective rights of occupancy and pre-emption, and shall receive titles for such quantities as they may respectively claim, including their improvements, not exceeding six hundred and forty acres each, nor exceeding the quantities they have heretofore claimed, respectively, according to their conditional lines, where such have been established, at a price not less than one dollar per acre. *And provided further,* That nothing herein contained shall be construed to enable any person or persons, until authorized by the legislature of the state of Tennessee, to locate any warrant issued under the authority of the state of North Carolina, within the limits of the lands reserved to the Cherokee Indians, by the fifth section of the act of said state, entitled "An act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army," passed in the year one thousand seven hundred and eighty-three.

Proviso; the people residing in Tennessee, south of French Broad, &c., to be secured in their respective rights, and receive titles for the quantities they claim, &c.

Proviso; nothing herein to enable any person, until authorized by the legislature of Tennessee, to locate any warrant issued under the authority of North Carolina, within the limits of the lands reserved to the Cherokees, &c.

**SECT. 3.** *And be it further enacted,* That if the territory herebefore ceded to the state of Tennessee, shall not contain a sufficient quantity of land fit for cultivation, according to the true intent and meaning of the original act of cession, including the lands within the limits reserved by the state of North Carolina to the Cherokee Indians, to perfect all existing legal claims charged thereon, by the conditions contained in this act of cession, congress will hereafter provide by law, for perfecting such as cannot be located in the territory aforesaid, out of the lands lying west or south of the before described line.

If the territory ceded to Tennessee should not contain a sufficient quantity of land, &c., to perfect existing legal claims charged thereon, &c., congress to provide by law, &c.

[Approved, April 18, 1806.]

**CHAP. 32 [XXXII.]** An act authorizing a detachment from the militia of the United States.\*

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized, at such time as he shall deem necessary, to require of the executives of the several states to take effectual measures to organize, arm, and equip, according to law, and hold in readiness to march at a moment's warning, their respective proportions of one hundred thousand militia, officers included; to be apportioned by the president of the United States, by the militia returns of the last year, in cases where such returns were made, and, in cases where such returns were not made the last year, by such other data as he shall judge equitable.

\* Expired. Supplied by act of 30th March, 1808; chap. 143, post. See, also, act of 10th April, 1812; chap. 378, post.]

The president authorized, &c., to require the executives of the several states to take effectual measures to organize, &c., their respective proportions of 100,000 militia, to be apportioned by the president, &c.

**SECT. 2.** *And be it further enacted,* That the president may, if he shall judge it expedient, authorize the executives of the several states to accept, as part of the said detachment, any corps of volunteers who shall engage to continue in service six months after they arrive at the place of rendezvous.

The president may authorize the executives of the states to accept, as part of the detachment, any corps of volunteers, &c.

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The detachment, &c. to be officered out of the present militia officers, or others, &c. The president to apportion the general officers, &c. The detachment not compelled to serve longer than six months, &c. and entitled to the same pay, rations, &c. as the army.

The president authorized to call into actual service any part, or the whole, of the detachment, &c.

3,000,000 dollars appropriated for the pay and subsistence of such part of the detachment as may be called into service. The act mentioned, repealed.

[\* Chap. 345, vol. 3.]

This act to be in force until the 18th April, 1806.

SECT. 3. *And be it further enacted*, That the detachment of militia and volunteers aforesaid, shall be officered out of the present militia officers, or others, at the option and direction of the constitutional authority in each state, respectively, the president of the United States apportioning the general officers among the respective states as he may deem proper.

SECT. 4. *And be it further enacted*, That the said detachment shall not be compelled to serve a longer time than six months after they arrive at the place of rendezvous; and that, during the time of their service, they shall be entitled to the same pay, rations, and allowance for clothing, that are established by law as the pay, rations, and allowance for clothing, of the army of the United States.

SECT. 5. *And be it further enacted*, That the president of the United States be, and he is hereby, authorized to call into actual service any part, or the whole, of the said detachment, when he shall judge the exigencies of the United States require it; if a part of the said detachment only shall be called into actual service, they shall be taken from such part thereof as the president in his discretion shall deem most proper.

SECT. 6. *And be it further enacted*, That two millions of dollars be, and are hereby, appropriated, out of any money in the treasury, not otherwise appropriated, for the pay and subsistence of such part of the said detachment as may be called into service.

SECT. 7. *And be it further enacted*, That an act, entitled "An act directing a detachment from the militia of the United States, and for erecting certain arsenals,"\* approved the third of March, one thousand eight hundred and three, be, and the same is hereby, repealed.

SECT. 8. *And be it further enacted*, That this act shall continue and be in force for the term of two years from the passing thereof, and no longer. [Approved, April 18, 1806.]

[† Obsolete.]

CHAP. 33. [XXXIII.] An act making appropriations for the support of government, for the year one thousand eight hundred and six.†

Sums appropriated for the objects mentioned.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for the expenditure of the civil list, in the present year, including the contingent expenses of the several departments and officers; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expenses of intercourse with foreign nations; for the support of lighthouses, beacons, buoys, and public piers; for the defraying the expenses of surveying the public lands in the territories of Indiana and Mississippi; and for satisfying certain miscellaneous claims, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

For members of congress, &c.

For compensations granted by law to the members of the senate and house of representatives, their officers, and attendants,

estimated for a session of four months and a half continuance, 1806.  
two hundred thousand five hundred and eighty-five dollars.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of congress, thirty-two thousand dollars. For contingent expenses of congress.

For all contingent expenses of the library, and librarian's allowance for the year one thousand eight hundred and six, four hundred and fifty dollars. For contingent expenses of the library, &c.

For compensation to the president and vice president of the United States, thirty thousand dollars. For the president and vice president.

For compensation to the secretary of state, clerks, and persons employed in that department, including the sum of twelve hundred dollars for compensation to his clerks, in addition to the sum allowed by the act of the second of March, one thousand seven hundred and ninety-nine,\* twelve thousand five hundred and sixty dollars. For the secretary of state, clerks, &c.

For the incidental and contingent expenses of the said department, four thousand two hundred dollars. [\* See chap. 146, vol. 3.]  
For the contingent expenses of the department of state.

For printing and distributing copies of the laws of the first session of the ninth congress, and printing the laws in newspapers, eight thousand two hundred and fifty dollars. For printing and distributing the laws, &c.

For special messengers charged with despatches, two thousand dollars. For special messengers with despatches.

For compensation to the secretary of the treasury, clerks, and persons employed in his office, including those engaged on the business belonging to the late office of the commissioner of the revenue, twelve thousand three hundred dollars. For the secretary of the treasury, clerks, &c.

For the expense of translating of foreign languages, allowance to the person employed in receiving and transmitting passports and scaletters, stationery, and printing, one thousand dollars. For translating foreign languages, &c.

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, twelve thousand nine hundred and seventy-seven dollars and eight cents. For the comptroller of the treasury, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses of the comptroller's office, eight hundred dollars. For contingent expenses of the comptroller's office.

For compensation to the auditor of the treasury, clerks, and persons employed in his office, twelve thousand two hundred and twenty dollars and ninety-three cents. For the auditor, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses in the office of the auditor of the treasury, five hundred dollars. For contingent expenses in the auditor's office, &c.

For compensation to the treasurer, clerks, and persons employed in his office, six thousand two hundred and twenty-seven dollars and forty-five cents. For the treasurer, clerks, &c.

For the expense of stationery, printing, and incidental and contingent expenses in the treasurer's office, three hundred dollars. For contingent expenses in the treasurer's office.

For compensation to the register of the treasury, clerks, and persons employed in his office, sixteen thousand and fifty-two dollars. For the register, clerks, &c.

For expense of stationery and printing in the register's office, (including books for the public stock, and for the arrangement of the marine papers) two thousand eight hundred dollars. For stationery and printing in the register's office.

1806.

For the secretary of the commissioners of the sinking fund.  
For clerks employed in making draughts of surveys of land, &c.

For contingent expenses of the treasury department.  
For stating and printing the public accounts, &c.

For books, maps, &c. for the treasury department.

For a superintendent of the treasury buildings, watchmen, &c.

For the secretary of war, clerks, &c.

For contingent expenses of the office of the secretary of war, &c.

For the accountant of the war department, clerks, &c.

For contingent expenses in the accountant's office.

For clerks in the paymaster's office.

For fuel in the same.

For the purveyor of public supplies, clerks, &c.

[\* See chap. 146, vol. 3.]

For expense of removing the purveyor's office to Germantown, &c.

For the secretary of the navy, clerks, &c.

[† See chap. 146, vol. 3.]

For contingent expenses in the office of the secretary of the navy.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

For compensation to the clerks employed for the purpose of making draughts of the several surveys of land in the territory of the United States northwest of the river Ohio, and in keeping the books of the treasury in relation to the sales of lands at the several land offices, three thousand four hundred dollars.

For fuel and other contingent expenses of the treasury department, four thousand dollars.

For defraying the expenses incident to the stating and printing the public accounts, for the year one thousand eight hundred and six, one thousand two hundred dollars.

For purchasing books, maps, and charts, for the use of the treasury department, four hundred dollars.

For compensation to a superintendent employed to secure the buildings and records of the treasury, during the year one thousand eight hundred and six, including the expense of two watchmen, and for the repair of two fire engines, buckets, lanterns, and other incidental expenses, one thousand five hundred dollars.

For compensation to the secretary of war, clerks, and persons employed in his office, eleven thousand two hundred and fifty dollars.

For the expense of fuel, stationery, printing, and other contingent expenses of the office of the secretary of war, one thousand dollars.

For compensation to the accountant of the war department, clerks, and persons employed in his office, ten thousand nine hundred and ten dollars.

For contingent expenses in the office of the accountant of the war department, one thousand dollars.

For compensation to clerks employed in the paymaster's office, one thousand eight hundred dollars.

For fuel in the said office, ninety dollars.

For compensation to the purveyor of public supplies, clerks, and persons employed in his office, including a sum of twelve hundred dollars, for compensation to his clerks, in addition to the sum allowed by the act of the second day of March, one thousand seven hundred and ninety-nine,\* and for expense of stationery, store rent, and fuel, for the said office, four thousand six hundred dollars.

For expenses incidental to the removal of the purveyor's office to Germantown, during the prevalence of the yellow fever in Philadelphia, in the year one thousand eight hundred and five, one hundred dollars.

For compensation to the secretary of the navy, clerks, and persons employed in his office, including the sum of seven hundred dollars, in addition to the sum of four thousand two hundred dollars, allowed by the act of the second of March, one thousand seven hundred and ninety-nine,† nine thousand eight hundred and ten dollars.

For expense of fuel, stationery, printing, and other contingent expenses in the office of the secretary of the navy, two thousand dollars.

For compensation to the accountant of the navy, clerks, and persons employed in his office, including the sum of one thousand one hundred dollars for compensation to his clerks, in addition to the sum allowed by the act of the second of March, one thousand seven hundred and ninety-nine,\* ten thousand four hundred and ten dollars. 1806.

For the accountant of the navy, clerks, &c.

(\* See chap. 146, vol. 3.)

For contingent expenses in the office of the accountant of the navy, seven hundred and fifty dollars.

For contingent expenses in the accountant's office.

For compensation to the postmaster general, assistant postmaster general, clerks, and persons employed in the postmaster general's office, including a sum of four thousand five hundred and ninety-five dollars, for compensation to his clerks, in addition to the sum allowed by the act of the second of March, one thousand seven hundred and ninety-nine,† thirteen thousand nine hundred and fifty-five dollars.

For the postmaster general, assistant, clerks, &c.

(† See chap. 146, vol. 3.)

For expense of fuel, candles, house rent for the messenger, stationery, chests, &c. exclusive of expenses of prosecution, portmanteaus, mail locks, and other expenses incident to the department, these being paid for by the postmaster general out of the funds of the office, two thousand five hundred dollars.

For fuel, candles, stationery, &c. for the general post office.

For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars.

For the loan officers.

For expenses incurred by removal of the loan office from New York, during the prevalence of the epidemic fever, in the year one thousand eight hundred and five, one hundred dollars.

For expense of removing the loan office from New York during the epidemic fever, &c.

For expenses incurred by removal of the loan office from Philadelphia, during the prevalence of the epidemic fever, in the year one thousand eight hundred and five, one hundred dollars.

For expense of removing the loan office from Philadelphia during the epidemic fever, &c. For clerks of the commissioners of loans, &c.

For compensation to the clerks of the several commissioners of loans, and an allowance to certain loan officers, in lieu of clerk hire, and to defray the authorized expenses of the several loan offices, thirteen thousand dollars.

For defraying the expense of clerk hire in the office of the commissioner of loans of the state of Pennsylvania, in consequence of the removal of the offices of the treasury department, in the year one thousand eight hundred, to the permanent seat of government, two thousand dollars.

For expense of clerk hire in the office of commissioner of loans of Pennsylvania, in consequence of the removal of the treasury department, &c.

For compensation to the surveyor general, and the clerks employed by him, and for expense of stationery and other contingencies of the surveyor general's office, three thousand two hundred dollars.

For the surveyor general, clerks, &c.

For compensation to the surveyor of the lands south of the state of Tennessee, clerks employed in his office, stationery, and other contingencies, three thousand two hundred dollars.

For the surveyor of lands south of Tennessee, clerks, &c.

For compensation to the officers of the mint:

For the officers of the mint.

The director, two thousand dollars:

Director.

The treasurer, one thousand two hundred dollars:

Treasurer.

The assayer, one thousand five hundred dollars:

Assayer.

The chief coiner, one thousand five hundred dollars:

Chief coiner.

The melter and refiner, one thousand five hundred dollars:

Melter and refiner.

The engraver, one thousand two hundred dollars;

Engraver.

One clerk, at seven hundred dollars;

Clerks.



1806.

For the wages of  
persons employ-  
ed in the mint.

And two, at five hundred dollars each.

For the wages of persons employed in the different branches of melting, coining, carpenter's, millwright's, and smith's work, including the sum of eight hundred dollars per annum, allowed to an assistant coiner and die forger, who also oversees the execution of the iron work, six thousand two hundred dollars.

For repairs of  
furnaces, &c. and  
other contingen-  
cies of the mint.

For the repairs of furnaces, costs of rollers and screws, timber, bar iron, lead, steel, potash, and for all other contingencies of the mint, four thousand two hundred dollars.

For the govern-  
or, judges, and  
secretary, of the  
territory of Or-  
leans, &c.

For compensation to the governor, judges, and secretary, of the territory of Orleans, including the sum of two thousand seven hundred and fifty dollars, for the salaries from the first of October to the thirty-first of December, one thousand eight hundred and four, fifteen thousand seven hundred and fifty dollars.

For incidental  
and contingent  
expenses of the  
executive offi-  
cers of the Or-  
leans territory,  
&c.

For incidental and contingent expenses of the executive officers of the said territory, including the sum of eight hundred and fifty dollars, a deficiency in the appropriation for one thousand eight hundred and five, and for express hire, and compensation of an Indian interpreter, three thousand seven hundred dollars.

For the govern-  
or, judges, &c. of  
the Mississippi  
territory.

For compensation to the governor, judges, and secretary, of the Mississippi territory, five thousand nine hundred and fifty dollars.

For contingent  
expenses in the  
Mississippi ter-  
ritory, &c.

For expense of stationery, office rent, and other contingent expenses in the said territory, and to make good a deficiency in the appropriations for the years one thousand eight hundred and four, and one thousand eight hundred and five, five hundred and eighty-two dollars and fifty cents.

For the govern-  
or, judges, &c.  
of the Indiana  
territory, &c.

For compensation to the governor, judges, and secretary, of the Indiana territory, five thousand one hundred and fifty dollars.

For contingent  
territorial ex-  
penses, &c.

For expenses of stationery, office rent, and other contingent expenses in the said territory, three hundred and fifty dollars.

For the govern-  
or, judges, &c.  
of the Michigan  
territory, &c.

For compensation to the governor, judges, and secretary, of the Michigan territory, including a deficiency of two thousand five hundred and seventy-five dollars, in the appropriation for the year one thousand eight hundred and five, for the support of the said government, seven thousand seven hundred and twenty-five dollars.

For the contin-  
gent expenses in  
the Michigan  
territory, &c.

For expenses of stationery, office rent, and other contingent expenses in the said territory, including the sum of six hundred and forty dollars, to defray similar expenses, and others attending the organization of the government, in the year one thousand eight hundred and five, nine hundred and ninety dollars.

For the govern-  
or, judges, &c.  
of the Louisiana  
territory, &c.

For compensation to the governor, judges, and secretary, of the Louisiana territory, including a deficiency of two thousand five hundred and seventy-five dollars in the appropriation for the year one thousand eight hundred and five, for the support of the said government, seven thousand seven hundred and twenty-five dollars.

For contingent  
expenses in the  
Louisiana ter-  
ritory, &c.

For expenses of stationery, office rent, and other contingent expenses in the said territory, for the years one thousand eight

hundred and five, and one thousand eight hundred and six, five hundred and twenty-five dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in a due course of settlement at the treasury, and which are of a nature, according to the usage thereof, to require payment in specie, two thousand dollars.

For the discharge of demands not otherwise provided for, admitted at the treasury, &c.

For additional compensation to the clerks of the several departments of state, treasury, war, and navy, and of the general post office, not exceeding, for each department, respectively, fifteen per centum, in addition to the sums allowed by the act, entitled "An act to regulate and fix the compensation of clerks,"\* eleven thousand eight hundred and eighty-five dollars.

For additional compensation to the clerks of the several departments, &c. and of the general post office, not exceeding 15 per cent. &c. [\* Chap. 146, vol. 3.]

For compensation granted by law to the chief justice, associate judges, and district judges, of the United States, including the chief justice, and two associate judges of the district of Columbia; to the attorney general, and to the judge of the district of Orleans, including a deficiency in the appropriation for his compensation in the year one thousand eight hundred and four, fifty-six thousand four hundred dollars.

For the judges, and attorney general, &c.

For the like compensation granted to the several district attorneys of the United States, three thousand four hundred dollars.

For the district attorneys.

For compensation to the marshals of the districts of Maine, New Hampshire, Vermont, Kentucky, Ohio, East and West Tennessee, and Orleans, one thousand six hundred dollars.

For the marshals of the districts mentioned.

For defraying the expenses of the supreme, circuit, and district, courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, forfeitures, and penalties, and likewise for defraying the expenses of prosecution for offences against the United States, and for safe keeping of prisoners, forty thousand dollars.

For defraying the expenses of courts, jurors, witnesses, &c. in aid of the funds arising from fines, &c.

For the payment of sundry pensions granted by the late government, nine hundred dollars.

For pensions, &c.

For the payment of an annuity granted to the children of the late colonel John Harding, and major Alexander Trueman, by an act of congress, passed the fourteenth of May, one thousand eight hundred,† six hundred dollars.

For the annuity granted to the children of col. John Harding and major Alexander Trueman, &c.

For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March, one thousand eight hundred and six, to the fourth of March, one thousand eight hundred and seven, ninety-eight thousand dollars.

[† See ch. 235, vol. 3.] For the annual allowances to the invalid pensioners, &c.

For the maintenance and support of lighthouses, beacons, buoys, and public piers, and stakeage of channels, bars, and shoals, and certain contingent expenses, eighty-one thousand and eighty-eight dollars and two cents.

For the support of lighthouses, beacons, &c.

For the payment of a commission of two and a half per cent. to the commissioners who superintended the erection of public piers in the river Delaware, four hundred and forty-eight dollars and seventy-one cents.

For the payment of two and a half per cent. to the commissioners who superintended the erection of piers in the Delaware, &c.

For fixing buoys in Long Island Sound, in addition to the sums heretofore appropriated for that object, one thousand three hundred and forty-two dollars and thirty-four cents.

Additional for fixing buoys in Long Island Sound.

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For intercourse with foreign nations.  
For intercourse with the Barbary powers, &c.

For contingent expenses of intercourse with foreign nations.  
For contingent expenses of intercourse with the Barbary powers.

Additional for carrying into effect the 6th article of the British treaty.  
[\* See page 200, vol. 1.]

Towards completing surveys of public lands, &c.

For the discharge of miscellaneous claims not otherwise provided for, &c. admitted at the treasury, &c.

Additional for defraying expenses incident to the investigation of claims under the French convention, &c.  
[† See page 142, vol. 1.]

For the relief, &c. of American seamen.

For the salaries of agents at London, &c. for prosecuting claims, &c.

For the amount admitted at the treasury as due, &c. to the representatives of the late baron de Beaumarchais, &c.

For exploring the waters of the country ceded by the French convention, &c.  
[‡ See page 134, vol. 1.]

The preceding appropriations to be paid out of the fund reserved, &c.

[§ See chap. 61, vol. 2.]

For expenses of intercourse with foreign nations, thirty-nine thousand and fifty dollars.

For the expenses of the intercourse between the United States and the Barbary powers, including the compensation of the consuls at the several Barbary powers, forty-nine thousand five hundred dollars.

For the contingent expenses of the intercourse with foreign nations, twenty-six thousand nine hundred and fifty dollars.

For the contingent expenses of intercourse with the Barbary powers, fifty thousand dollars:

For defraying the expense of carrying into effect the sixth article of the British treaty,\* in addition to the sums heretofore appropriated for that purpose, seven thousand seven hundred and fifty dollars.

Towards completing the surveys of public lands in the state of Ohio, and in the Indiana, and Mississippi territories, one hundred and twenty thousand dollars.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, and which are of a nature, according to the usage thereof, to require payment in specie, four thousand dollars.

For defraying the expenses incident to the investigation of claims under the French convention of the thirtieth of April, one thousand eight hundred and three,† in addition to the sums heretofore appropriated to that purpose, six thousand dollars.

For the relief and protection of distressed American seamen, seven thousand five hundred dollars.

For the salaries of the agents at London, Paris, and Madrid, for prosecuting claims in relation to captures, six thousand dollars.

For the amount admitted at the treasury as due, on the first of January, one thousand seven hundred and ninety-one, to the legal representatives of the late baron de Beaumarchais, for military stores furnished the United States during the late war, including interest on the same, a sum not exceeding seventy-nine thousand dollars.

For exploring the waters of the country ceded by the convention of the thirtieth of April, one thousand eight hundred and three,‡ and establishing commerce with the Indian tribes inhabiting the same, five thousand dollars.

SECT. 2. *And be it further enacted*, That the several appropriations hereinbefore made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by an act making provision for the debt of the United States,§ and out of moneys in the treasury, not otherwise appropriated.

[Approved, April 18, 1806.]

CHAP. 34. [XXXIV.] An act making provision for the compensation of witnesses who attended the trial of the impeachment of Samuel Chase.\*

1806.

[\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, to every witness summoned to attend the trial of the impeachment of Samuel Chase, there shall be allowed and paid, for every day's attendance upon the said trial, the sum of three dollars; and also, for mileage, at the rate of twelve and an half cents for every mile distance coming to the city of Washington, and returning to the usual place of residence of the witnesses, respectively.

3 dolls. per day to every witness who attended the trial of Samuel Chase, &c.  
Mileage, at the rate of twelve and a half cents for every mile.

SECT. 2. *And be it further enacted,* That it shall be the duty of the secretary of the senate to ascertain and certify the amount due to each witness for attendance and mileage; which certificate shall be a sufficient voucher to entitle the witness to receive from the treasury of the United States the amount certified to be due, unless otherwise ordered by the senate.

The secretary of the senate to ascertain and certify the amount due to each witness, &c.  
The certificate to be a sufficient voucher, &c.

SECT. 3. *And be it further enacted,* That the sum of six thousand dollars be appropriated to defray the expenses to be incurred under the provisions of this act, to be paid out of any money in the treasury, not otherwise appropriated.

6,000 dolls. appropriated to defray the expenses incurred under this act, &c.

[Approved, April 21, 1806.]

CHAP. 35. [XXXV.] An act in addition to an act, entitled "An act supplementary to the act providing for a naval peace establishment, and for other purposes."†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the second and fourth sections of "An act providing for a naval peace establishment, and for other purposes,"‡ be, and the same are hereby, repealed.

[† See orig. act of 27th March, 1804; chap. 406, vol. 3.]  
The 3d and 4th sections of the act mentioned repealed.

SECT. 2. *And be it further enacted,* That the president of the United States be, and he is hereby, authorized to keep in actual service, in time of peace, so many of the frigates and other public armed vessels of the United States, as in his judgment the nature of the service may require, and to cause the residue thereof to be laid up in ordinary in convenient ports.§

[‡ Chap. 248, vol. 3.]

SECT. 3. *And be it further enacted,* That the public armed vessels of the United States, in actual service, in time of peace, shall be officered and manned as the president of the United States shall direct: *Provided,* That the officers shall not exceed the following numbers and grades, that is to say: thirteen captains, nine masters commandant, seventy-two lieutenants, and one hundred and fifty midshipmen: but the said officers shall receive no more than half their monthly pay, during the time when they shall not be under orders for actual service: *And provided farther,* That the whole number of able seamen, ordinary seamen, and boys, shall not exceed nine hundred and twenty-five; but the president may appoint, for the vessels in actual service, so many

The president authorized to keep in actual service, in time of peace, as many frigates, &c. as the service may require, &c.

[§ See act of 28th Jun., 1800; chap. 224, post.]  
The public armed vessels in service, &c. to be officered and manned as the president directs; provided, &c.  
Officers to receive no more than half pay when not under orders, &c.

Provide; the whole number of seamen, &c. not to exceed 925, &c.

1806.

surgeons, surgeon's mates, sailing masters, chaplains, pursers, boatswains, gunners, sailmakers, and carpenters, as may in his opinion be necessary and proper. [*Approved, April 21, 1806.*]

CHAP. 36. [XXXVI.] This act relates entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 37. [XXXVII.] An act for the temporary relief of Hamet Caramalli.\*

[\* Private and absolute.]

\$3,400 dolls. to be paid out of the treasury, and applied, under the direction of the president, to the temporary relief of Hamet Caramalli, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the sum of two thousand four hundred dollars be, and is hereby, appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated, to be applied, under the direction of the president of the United States, to the immediate and temporary relief of Hamet Caramalli, ex bashaw of Tripoli.

[*Approved, April 21, 1806.*]

CHAP. 38. [XXXVIII.] An act continuing in force for a further time, the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."†

[† Obsolete. See Orig. act. of 25th March, 1804; chap. 399, vol. 2. S. C. also, act of 3d March, 1807; sec. 2, ch. 36, post.] The 1st section of the act to protect commerce and seamen against the Barbary powers, continued until the 3d March, 1807. [‡ Chap. 392, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That so much of the act passed on the twenty-fifth day of March, one thousand eight hundred and four, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers,"‡ as is contained in the first section of the said act, be, and the same hereby is, continued in force until the end of the next session of congress, and no longer.

[*Approved, April 21, 1806.*]

[§ See orig. act, of 3d March, 1806; chap. 440, vol. 3.] Persons claiming to acts of land by virtue of the 2d section of the act referred to, and who had commenced an actual settlement on such tract prior to the 1st of Oct. 1800, and continued to inhabit and cultivate the same for three years, &c. to be considered as having made the settlement with

CHAP. 39. [XXXIX.] An act supplementary to an act, entitled "An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana."§

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That every person or persons claiming a tract of land, by virtue of the second section of the act to which this act is a supplement, and who had commenced an actual settlement on such tract, prior to the first day of October, one thousand eight hundred, and had continued actually to inhabit and cultivate the same, during the term of three years from the time when such actual settlement had commenced, and prior to the twentieth day of December, eighteen hundred and three, shall be considered as

having made such settlement with the permission of the proper Spanish officer, although it may not be in the power of such person or persons to produce sufficient evidence of such permission. 1806.

SECT. 2. *And be it further enacted*, That every person or persons rightfully claiming a tract of land, not exceeding six hundred and forty acres, by virtue of the act to which this act is a supplement, shall be confirmed in his or their claims, if otherwise embraced by the provisions of the said act, although the person or persons, under whom the claim or claims originated, were not, at the time when the same originated, above the age of twenty-one years: *Provided*, That the tract of land thus claimed, had been, for the space of ten consecutive years, prior to the twentieth day of December, eighteen hundred and three, in the quiet possession of, and actually inhabited and cultivated by, such person or persons, or for his or their use.

SECT. 3. *And be it further enacted*, That the time fixed by the act to which this act is a supplement, for delivering to the register of the proper land office notices in writing, and the written evidences of claims to land in the territory of Orleans, be, and the same is hereby, extended till the first day of January next; and persons delivering such notices and evidences, shall be entitled to the same benefits as if the same had been delivered prior to the first day of March last; but the rights of such persons as shall neglect so doing, within the time limited by this act, shall be barred, and the evidences of their claims never after admitted as evidence, in the same manner as had been provided by the fourth section of the act to which this act is a supplement, in relation to claims, notices, and written evidences of which, should not be delivered prior to the said first day of March last.\*

SECT. 4. *And be it further enacted*, That the registers of the land offices in the territory of Orleans, respectively, be, and they are hereby, authorized to appoint so many deputies, not exceeding one for each county, in their respective districts, as they may think necessary; whose duty it shall be to receive, enter, and file notices, and to receive and record written evidences of claims to lands lying in the county, or counties, to them respectively assigned, in the same manner as the register might do; and also, to transmit to the register the said notices and evidences, or such transcripts of abstracts of the same, as the said register, or the commissioners, may direct; and, generally, to do and perform all such acts, in relation to such claims, as the said register may direct. Persons having claims to land may deliver the notices and evidences of the same, at their option, either to the register of the proper land office, or to his deputy, for the county in which such land lies; and each of the said deputies shall be entitled to receive the recording fees allowed to the register by the act to which this act is a supplement, and in addition thereto, (or a compensation of five hundred dollars in full for all his services,) at the rate of one dollar for every claim filed with him, to be paid out of the moneys appropriated for carrying into effect the act to which this act is a supplement.†

the permission of the proper Spanish officer, &c.  
Persons rightfully claiming a tract not exceeding 640 acres, by virtue of the act referred to, &c. to be confirmed, &c. although, &c. not above 21 years of age; provided, &c.

The time fixed for delivering to the register notices in writing, &c. of claims to land in the territory of Orleans, extended to the 1st Jan. 1807, &c.

The rights of persons neglecting, &c. barred, &c.

\* See sec. 4, chap. 440, vol. 3.

† The registers of the land offices in the territory of Orleans to appoint deputies, &c.

Deputies to receive, enter, and file notices, &c.

Persons having claims to land may deliver the notices, &c. either to the register or his deputy, &c. Compensation to the deputies, &c.

[† See sec. 4, chap. 440, vol. 3; and sec. 9, chap. 91, post.]

1806.

The commissioners for ascertaining the rights of persons claiming lands in the territory of Orleans, to have, in their respective districts, the same powers, &c. as provided by the act referred to, &c.

Transcripts of decisions and reports of the claims filed, &c. to be made and transmitted, &c.

The commissioners to inquire into the nature and extent of the claims to a double or additional concession on the back of grants, &c. or from grants or concessions made to minors, &c. and make a special report to be laid before congress, &c.

The lands embraced by the report not to be disposed of until congress decide. [\* See ch. 440, vol. 3.]

Each register to receive, in addition to emoluments, &c. \$500 dolls. for the services to be performed under this act, &c.

Each commissioner to receive at the rate of six dolls. a day, &c. *Provided*, the amount of compensation to a commissioner not to exceed \$3,000 dolls.

*Provided*, the president may reduce the number of commissioners, &c. The remaining commissioners to have the same powers, &c.

The clerk of each board to receive at the rate of 1,500 per ann. translators at the rate of 600, and agents at the rate of 1,500 dolls. a year.

*Provided*, not more than one year's compensation to be thus allowed to each clerk, &c. *Provided*, the secretary of the

**SECT. 5.** *And be it further enacted*, That the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans, shall, in their respective districts, have the same powers, and perform the same duties, in relation to the claims thus filed before the first day of January next, as if notice of the same had been given before the first day of March last, and as was provided by the act to which this act is a supplement, in relation to the claims therein described. Transcripts of the decisions of the said commissioners, and reports of the claims filed in conformity with the provisions of this act, shall be made and transmitted, as was provided, by the act to which this act is a supplement, in relation to the claims therein described. It shall likewise be the duty of the said commissioners to inquire into the nature and extent of the claims which may arise from a right, or supposed right, to a double or additional concession on the back of grants or concessions heretofore made, or from grants or concessions heretofore made to minors, and not embraced by the provisions of this act, or from grants or concessions made by the Spanish government, subsequent to the first day of April, one thousand eight hundred, for lands which were actually settled and inhabited on the twentieth day of December, one thousand eight hundred and three; and to make a special report thereon to the secretary of the treasury; which report shall be, by him, laid before congress at their next ensuing session. And the lands which may be embraced by such report shall not be otherwise disposed of, until a decision of congress shall have been had thereupon.\*

**SECT. 6.** *And be it further enacted*, That each of the registers aforesaid shall, in addition to his other emoluments, receive a compensation of five hundred dollars for the services to be performed under this act, prior to the first day of January next; and each of the commissioners aforesaid shall receive at the rate of six dollars a day, for every day's actual attendance on the duties of his office subsequent to the first day of January next. *Provided*, That the whole amount of compensation thus allowed, shall not, for any commissioner, exceed two thousand dollars: *And provided, also*, That the president of the United States may, if he shall think proper, reduce, after the first day of January next, the number of commissioners on either or both boards, to one or two persons; and, in case of such reduction, the commissioner or commissioners constituting the board, shall have the same powers which are vested by this act, or by the act to which this act is a supplement, in the board established by the act to which this act is a supplement. The clerk of each of the boards shall be entitled to receive at the rate of fifteen hundred dollars a year; the translators at the rate of six hundred dollars a year, and the agents employed by the secretary of the treasury at the rate of fifteen hundred dollars a year, from the first day of January next to the time when each board shall respectively be dissolved. *Provided*, That no more than one year's compensation be thus allowed to each of the said clerks, translators, and agents: *And provided, also*, That the secretary of the treasury

may discontinue either one or both of said agents, whenever he shall think it proper.

SECT. 7. *And be it further enacted*, That the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana be, and they are hereby, authorized, if they shall think it necessary, for the purpose of obtaining oral evidence, either in support of, or in opposition to, claims, which evidence could not be given at the usual place of their sittings, without oppression to the parties or witnesses, to remove their sittings, or to send, for that purpose, one or more members of the board, to such other place or places, within their respective districts, as they may think necessary: And each of the commissioners going, for that purpose, to such other place or places, shall, in addition to his compensation, receive at the rate of six dollars for every twenty miles, going to and returning from such place or places: *Provided*, That no commissioner shall receive, in the whole, on that account, more than for the distance from the usual place of the sittings of the board to the extreme settlements within his respective district.

SECT. 8. *And be it further enacted*, That each of the boards aforesaid shall prepare, and cause to be prepared, the reports and transcripts which by law they are directed to make to the secretary of the treasury, in conformity with such forms as he may prescribe; and they shall also, in their several proceedings and decisions, conform to such instructions as the said secretary may, with the approbation of the president of the United States, transmit to them in relation thereto.

SECT. 9. *And be it further enacted*, That the surveyor of the public lands south of Tennessee be, and he is hereby, directed to appoint a principal deputy for each of the two land districts of the territory of Orleans, whose duty it shall be to reside and keep an office in the said districts, respectively, to execute, or cause to be executed by the other deputies, such surveys as have been or may be authorized by law, or as the commissioners aforesaid may direct; to file and record all such surveys, to form, as far as practicable, connected draughts of the lands granted in the district, so as to exhibit the lands remaining vacant; and, generally, to perform in such districts, respectively, in conformity with the regulations and instructions of the said surveyor of the public lands south of the state of Tennessee, the duties imposed by law on said surveyor. And each of the said principal deputies shall receive an annual compensation of five hundred dollars, and, in addition thereto, the following fees, that is to say: for examining and recording the surveys executed by any of the deputies, at the rate of twenty-five cents for every mile of the boundary line of such survey; and for a certified copy of any plot of a survey in the office, twenty-five cents.

SECT. 10. *And be it further enacted*, That the president of the United States be, and he hereby is, authorized, whenever he shall think it proper, to appoint a receiver of public moneys for the western district of the territory of Orleans, who shall re-

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treasury may discontinue the agents, &c.  
The commissioners for ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana, may, for the purpose of obtaining evidence, &c. remove their sittings, or send one or more members of the board, &c.

Each commissioner going, &c. to receive, in addition, &c. at the rate of 6 dol. for every 20 miles, &c.  
Provided; no commissioner to receive more than for the distance to the extreme settlements, &c.

The boards to prepare the reports and transcripts in the form which the secretary of the treasury may prescribe; and conform, in their proceedings, &c. to such instructions as the secretary, &c. may transmit to them.

The surveyor of the public lands south of Tennessee to appoint a principal deputy for each of the two land districts of the territory of Orleans. The principal deputies to reside in their districts, keep an office, execute surveys, &c.

Each principal deputy to receive an annual compensation of 500 dol. and fees in addition, &c.

The president authorized to appoint a receiver of public money for the western district of the territory of Orleans, &c.



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Compensation,  
duties, &c. of  
the receiver.

ceive the same annual compensation, give security in the same manner, and in the same sums, and whose duties and authorities shall, in every respect, be the same in relation to the lands which shall hereafter be disposed of at their offices, as are by law provided with respect to the receivers of public moneys in the several offices established for the disposal of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river.\* And the said receiver, and the register of the land office, for the same district, shall, whenever the public lands within the same shall be offered for sale, be entitled to the same commissions and fees which are by law, respectively, allowed to the same officers north of the river Ohio and above the mouth of Kentucky river.

[\* See chap. 309,  
vol. 3.]

The receiver and  
register, &c.  
whenever the  
public lands, &c.  
are offered for  
sale, entitled to  
the same com-  
missions and  
fees as the same  
officers north of  
the Ohio, &c.  
The president  
authorized to di-  
rect public lands  
in the western  
district of Or-  
leans, surveyed,  
&c. to be offered  
for sale.

The lands, with  
the exception of  
No. 16, &c. to be  
offered to the  
highest bidder,  
under the direc-  
tion of the regis-  
ter, receiver, and  
principal deputy  
surveyor, &c.

The sales to  
remain open  
three weeks; the  
lands to be sold  
at a price fixed  
by law, &c.

The superinten-  
dents of public  
sales to receive  
6 dolls. for each  
day's attendance,  
&c.

All lands, other  
than the reserv-  
ed sections, &c.  
remaining un-  
sold at the close  
of the public  
sales, may be  
disposed of at  
private sale, &c.  
Patents to be ob-  
tained as provid-  
ed by law for  
the lands sold in  
Mississippi, &c.

[† See chap. 340,  
vol. 3.]

The location of  
land in the ter-  
ritory of Orleans

SECT. 11. *And be it further enacted,* That the president of the United States be, and he is hereby, authorized, whenever he shall think it proper, to direct so much of the public lands lying in the western district of the territory of Orleans, as shall have been surveyed in conformity with the provisions of the act to which this act is a supplement, to be offered for sale. All such land shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same; with the exception also of an entire township, to be located by the secretary of the treasury, for the use of a seminary of learning, and with the exception also of the salt springs, and lands contiguous thereto, which, by direction of the president of the United States, may be reserved for the future disposal of the said states, shall be offered for sale to the highest bidder, under the direction of the register of the land office, of the receiver of public moneys, and of the principal deputy surveyor, and on such day or days as shall, by a public proclamation of the president of the United States, be designated for that purpose. The sales shall remain open for three weeks, and no longer; the lands shall be sold for a price not less than that which has been, or may be, fixed by law for the public lands in the Mississippi territory; and shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions, as have been, or may be, by law provided for the lands sold in the Mississippi territory. The superintendents of the said public sales shall receive six dollars, each, for each day's attendance on the said sales. All lands, other than the reserved sections, and those excepted as above mentioned, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the register of the land office, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are, or may be, provided by law, for the sale of the lands of the United States in the Mississippi territory. And patents shall be obtained for all lands granted or sold in the territory of Orleans, in the same manner, and on the same terms, as is, or may be, provided by law for lands sold in the Mississippi territory.†

SECT. 12. *And be it further enacted,* That the location or locations of land which may be made in the territory of Orleans,

by major general La Fayette, by virtue of the ninth section of the act to which act is a supplement, shall and may be received, though containing less than one thousand acres: *Provided*, That no such location or survey shall contain less than five hundred acres. 1806.

SECT. 13. *And be it further enacted*, That the secretary of the treasury be authorized to cause a survey to be made of the sea coast of the territory of Orleans, from the mouth of the Mississippi to Vermilion bay, inclusively, and as much farther, westwardly, as the president of the United States shall direct; and also of the bays, inlets, and navigable waters, connected therewith: *Provided*, That the expense of such survey shall not exceed five thousand dollars.

SECT. 14. *And be it further enacted*, That a sum, not exceeding twenty thousand dollars, in addition to the sum appropriated by the act to which this act is a supplement, and to be paid out of any unappropriated moneys in the treasury, be, and the same is hereby, appropriated for the purpose of carrying this act into effect. [Approved, April 21, 1806.]

by major general La Fayette, &c. to be received though containing less than 1,000 acres; provided, &c. The secretary of the treasury to cause a survey to be made of the sea coast of the territory of Orleans, &c.

Provido; the expense not to exceed \$5,000 dolls. Not exceeding 20,000 dolls. in addition, &c. appropriated for carrying this act into effect.

#### CHAP. 40. [XL.] An act respecting the claims to land in the Indiana territory and state of Ohio.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the registers and receivers of public moneys of the districts of Vincennes and Kaskaskias, respectively, be, and they are hereby, authorized and empowered, under the direction of the secretary of the treasury, to lay out one or more tracts of land, in their respective districts, for the purpose of locating therein tracts of land granted by virtue of any legal French or British grants, or of any resolution or act of congress: *Provided*, That the tracts thus laid out shall be, whenever practicable, adjoining the tracts which, in conformity with former laws, had been laid out for similar purposes by the governors of the northwest or Indiana territories; and the tracts thus laid out shall not be otherwise disposed of, unless by order of congress.

SECT. 2. *And be it further enacted*, That any person or persons entitled to grants of land by virtue of any former resolution or act of congress, which are not specifically designated in the patents issued by the governors aforesaid, or which have not yet been located, shall have a right to locate the same in the tract or tracts to be laid out in each district, respectively, by virtue of the preceding section: the priority of such location shall be determined by lot, in presence of the register of the land office with whom the location shall be entered; and the surveyor general shall cause the same to be surveyed at the expense of the parties: *Provided*, That all the lands thus located shall, in each tract laid out for that purpose, be laid out in a body, without leaving any intervals of vacant land, and shall each be surveyed

The registers and receivers of Vincennes and Kaskaskias empowered, &c. to lay out one or more tracts of land, in their districts, for locating therein tracts granted by virtue of legal French or British grants, &c. *Provido*; the tracts laid out to adjoin tracts laid out for similar purposes by the governors of the northwest or Indiana territories, &c. Persons entitled to grants of land by virtue of any former resolution or act of congress, not specifically designated in the patents, &c. to have a right to locate them in the tracts to be laid out by virtue of the preceding section, &c. *Provido*; all the lands located, &c. to be laid out in a body, &c. and be surveyed in the form of a square, &c.

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in the form of a square, or of a parallelogram, the length of which shall not exceed three times its breadth.

The registers and receivers to complete and transmit their reports, &c. before the 1st of Dec. 1806. The registers and receivers, each, allowed \$500 dolls. additional; and each of the clerks 200 dolls.

[\* see sec. 6, chap. 103, post.] The register and receiver in the district of Cincinnati authorized to grant certificates of a right of pre-emption to persons residing on reserved sections, other than No. 16, for the tracts on which they reside, &c. [† Chap. 388, vol. 3.] Provides; persons to exhibit evidence of their claims, &c. and the certificates not to be granted for any lands previously granted or sold, &c.

SECT. 3. *And be it further enacted*, That the registers and receivers aforesaid shall complete and transmit their reports to the secretary of the treasury before the first day of December next. Each of the said officers shall be allowed an additional compensation of five hundred dollars; and each of the clerks of the respective boards shall be allowed an additional compensation of two hundred and fifty dollars, in full for his services, as such, in relation to such claims.\*

SECT. 4. *And be it further enacted*, That the register and receiver of public moneys in the district of Cincinnati be, and they are hereby, authorized to grant certificates of a right of pre-emption to any person residing on any reserved section (other than section No. 16) for the tract on which he resides, on the applicant's producing satisfactory evidence that his claim was within the provisions of the seventh section of an act, entitled "An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes:"† *Provided*, That the person shall exhibit the evidence of his claim, and shall have paid at least one-twentieth part of the purchase money, on or before the first day of August next: *And provided also*, That such certificates shall not be granted for any lands previously granted or sold, or for a larger tract than a quarter of a section, nor for any other tract than that on which he resides, and such land shall be granted at the same price, and on the payments being made, as for other public lands sold at private sale.

[*Approved, April 21, 1806.*]

CHAP. 41. [XLI.] An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads; and for other purposes.

The secretaries of state, treasury, war, and navy, authorized to apportion the compensation of clerks in their respective departments, as the services performed require, &c. *Provided*; the whole amount of ordinary compensations for clerks in the departments, respectively, not to exceed the sums mentioned. For the treasury department, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretaries of state, treasury, war, and navy, departments, shall be, and they are hereby, authorized to apportion the compensations for clerks in their respective departments, in such manner as the services to be performed shall, in their judgment, require: *Provided*, That the whole amount of ordinary compensations for clerks in the said departments, respectively, shall not exceed the following sums, annually; that is to say:

For the department of state, seven thousand one hundred and fifty dollars:

For the treasury department, forty-four thousand two hundred and twenty-seven dollars and twenty-eight cents, that is to say: in the office of the secretary of the treasury, ten thousand two hundred and eighty-nine dollars and eighty-one cents; in the office of comptroller of the treasury, nine thousand and sixty-seven dollars; in the office of the auditor, eight thousand eight hundred and eleven dollars; in the office of the treasurer of the United

States, two thousand eight hundred and seventeen dollars forty-five cents; and in the office of the register of the treasury, thirteen thousand two hundred and forty-two dollars and two cents: 1806.

For the department of war, sixteen thousand five hundred and forty dollars, that is to say: in the office of the secretary, six thousand three hundred and forty dollars; in the office of the accountant of the war department, eight thousand five hundred dollars; and in the office of the purveyor of public supplies, one thousand seven hundred dollars: For the department of war, &c.

For the department of the navy, twelve thousand nine hundred dollars, that is to say: in the office of the secretary, four thousand nine hundred dollars; and in the office of the accountant of the navy department, eight thousand dollars. For the department of the navy, &c.

SECT. 2. *And be it further enacted*, That the postmaster general of the United States shall be, and hereby is, authorized to appoint such number of clerks in his office as he shall judge proper, and to apportion their compensations in such manner as the services to be rendered by each shall, in his judgment, require: *Provided*, That the whole amount of ordinary compensations for clerks in the said office, shall not exceed the sum of nine thousand three hundred and forty-five dollars, annually. The postmaster general may appoint such number of clerks as he thinks proper, and apportion their compensations as their services require. *Provido*; the amount of ordinary compensations for clerks in the general post office not to exceed, &c.

SECT. 3. *And be it further enacted*, That the director of the mint be, and he is hereby, authorized to allow to one of the clerks employed in his office, seven hundred dollars per annum; and the said director is hereby authorized to expend the further sum of one thousand dollars, annually, in clerk hire, in such manner as his discretion shall dictate. And the surveyor general is hereby allowed to expend twelve hundred dollars, annually, for clerk hire. The director of the mint may allow one of his clerks 700 dollars per ann. and may expend a further sum of 1,000 dollars in clerk hire. &c. The surveyor general allowed to expend 1,200 per ann. in clerk hire.

SECT. 4. *And be it further enacted*, That there shall be allowed to the commissioners of loans, in the states of Massachusetts and New York, respectively, not exceeding five clerks, at the rate of five hundred dollars, each, per annum: to the commissioner of loans in Connecticut, not exceeding two clerks, at the rate of four hundred dollars, each, per annum: to the commissioner of loans in Pennsylvania, not exceeding six clerks, at the rate of five hundred dollars, each, annually: to the commissioners of loans in Virginia and South Carolina, respectively, not exceeding two clerks, at the rate of five hundred dollars, each, annually: the aggregate of compensations for clerks employed by either of said commissioners, to be apportioned among them at his discretion. And there shall be annually allowed, in lieu of clerk hire, to the commissioner of loans in the state of New Hampshire, three hundred and fifty dollars: to the commissioner of loans in the state of Rhode Island, four hundred dollars: to the commissioner of loans in the state of New Jersey, three hundred dollars: and to the commissioner of loans in the state of Maryland, two hundred and fifty dollars. Clerks, and clerk hire, allowed to the commissioners of loans mentioned.

SECT. 5. *And be it further enacted*, That the compensations allowed by this act to clerks, shall commence with the year one thousand eight hundred and seven; and it shall be the duty of the secretaries for the departments of state, treasury, war, and The aggregate of compensations to be apportioned by the commissioners at discretion. The compensations to clerks allowed by this act to commence with the year 1807. The secretaries,

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Postmaster general, &c. to report to congress, at the beginning of each year, the names of clerks employed and the sum given to each, &c.

The secretary of the treasury to report whether the business in the loan office of Pennsylvania, &c. continues to require the additional sum of 2,000 dolls. allowed by this act for clerk hire, &c.

In case of the removal of any public office, by reason of sickness prevailing in the city, &c. a particular account of the cost to be laid before congress, &c.

The president to cause a road to be opened from the frontier of Georgia, &c. but not to expend more than 6,400 dolls.

The president to cause to be opened roads from the Mississippi to the Ohio, &c. but not to expend more than 6,000 dolls.

And a road from Nashville to Natchez; but not to expend more than 6,000 dolls.

Not exceeding 28,000 dolls. appropriated to defray the expense authorized by this act, &c.

The act mentioned, repealed.

[\* Chap. 145, vol. 3.]

navy, and of the postmaster general, and surveyor general, and of the commissioners of loans in the several states, to report to congress, at the beginning of each year, the names of the clerks they have employed, respectively, in the preceding year, and the sum given to each; and whether the business for clerks increases or diminishes in their respective departments, that congress may be enabled to make further arrangements by law respecting clerk hire. And it shall be the duty of the secretary of the treasury particularly to report, whether the business in the loan office of Pennsylvania shall, from year to year, continue to require the additional sum of two thousand dollars allowed by this act for clerk hire, in consequence of the removal of the treasury office from Philadelphia, in eighteen hundred, to the permanent seat of government; and likewise he shall report the necessity, if such shall continue, of employing clerks on the business belonging to the office of the late commissioner of the revenue.

SECT. 6. *And be it further enacted*, That hereafter, in case of the removal of any public office, by reason of sickness, which may prevail in the town or city where such office is located, a particular account of the cost of such removal shall be laid before congress, that they may be enabled to judge of the proper sum to be allowed for the same.

SECT. 7. *And be it further enacted*, That the president of the United States be, and he hereby is, authorized to cause to be opened a road from the frontier of Georgia, on the route from Athens to New Orleans, till the same intersects the thirty-first degree of north latitude: *Provided*, he shall not expend more than six thousand four hundred dollars in opening the same. And to cause to be opened a road or roads, through the territory lately ceded by the Indians to the United States, from the river Mississippi to the Ohio, and to the former Indian boundary line which was established by the treaty of Greenville: *Provided*, he shall not expend, in opening the same, more than six thousand dollars. And to cause to be opened a road from Nashville, in the state of Tennessee, to Natchez, in the Mississippi territory: *Provided*, he shall not expend more than six thousand dollars in opening the same.

SECT. 8. *And be it further enacted*, That, to defray the expense authorized by this act, beyond the appropriation for the support of government for the year one thousand eight hundred and six, there is hereby appropriated a sum not exceeding twenty-eight thousand dollars, payable out of any money in the treasury, not otherwise appropriated. And that the act, entitled "An act to regulate and fix the compensation of clerks,"\* which passed on the second day of March, one thousand seven hundred and ninety-nine, shall, from and after the first day of January next, be, and the same is hereby, repealed.

[Approved, April 21, 1806.]

CHAP. 42. [XLII.] An act making appropriations for the support of the navy of the United States, during the year one thousand eight hundred and six.

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[ Obsolete. ]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for defraying the expenses of the navy of the United States, during the year one thousand eight hundred and six, the following sums be, and the same are hereby, respectively, appropriated; that is to say:

For pay and subsistence of the officers, and pay of the seamen, two hundred and ninety-one thousand one hundred and nineteen dollars.

Sums appropriated for defraying the expenses of the navy during the year 1806.

For pay and subsistence of officers and pay of seamen.

For provisions, one hundred and fifty-seven thousand two hundred and fifty-four dollars and thirty-four cents.

For provisions.

For medicine, instruments, and hospital stores, seven thousand five hundred dollars.

For medicine, &c.

For repairs of vessels, store rent, pay of armorers, freight, and other contingent expenses, four hundred and eleven thousand nine hundred and fifty dollars.

For repairs of vessels, store rent, &c.

For pay and subsistence of the marine corps, including provisions for those on shore, and forage for the staff, sixty-six thousand and twenty-eight dollars and ten cents.

For pay and subsistence of the marine corps.

For clothing for the same, fourteen thousand three hundred and sixty dollars.

For clothing, &c.

For military stores for the same, one thousand one hundred and thirty-five dollars.

For military stores, &c.

For medicine, medical services, hospital stores, and all other expenses on account of the sick belonging to the marine corps, one thousand one hundred and fifty dollars.

For medicine, medical services, &c. for the marine corps.

For quartermaster's and barrackmaster's stores, officers' travelling expenses, armorer's and carpenter's bills, fuel, premium for enlisting, musical instruments, bounty to music, and other contingent expenses, eight thousand one hundred and forty-five dollars.

For quartermaster's and barrackmaster's stores, &c.

For the expense of navy yards, docks, and other improvements, the pay of superintendents, storekeepers, clerks, and laborers, sixty thousand dollars.

For navy yards, docks, &c.

For ordnance, fifty thousand dollars.

For ordnance.

For completing the marine barracks at the city of Washington, three thousand five hundred dollars.

For completing the marine barracks at Washington.

SECT. 2. *And be it further enacted,* That the several sums herein specifically appropriated, shall be paid out of any moneys in the treasury not otherwise appropriated.

The sums appropriated to be paid out of unappropriated moneys in the treasury.

[Approved, April 21, 1806.]

CHAP. 43. [XLIII.] An act to provide for the adjustment of titles of land in the town of Detroit and territory of Michigan, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the governor and the judges of the territory of Michigan shall

The governor and judges of Michigan, &c.

1806.

authorized to lay out a town, including the old town of Detroit, and 10,000 acres adjacent, &c.  
To every person, &c. who, not owning or professing allegiance to a foreign power, and above the age of 17, owned or inhabited a house in the old town of Detroit, when it was burnt, a lot to be granted, &c.

be, and they, or any three of them, are hereby, authorized to lay out a town, including the whole of the old town of Detroit, and ten thousand acres adjacent, excepting such parts as the president of the United States shall direct to be reserved for the use of the military department, and shall hear, examine, and finally adjust, all claims to lots therein, and give deeds for the same. And to every person, or the legal representative or representatives of every person, who, not owning or professing allegiance to any foreign power, and being above the age of seventeen years, did, on the eleventh day of June, one thousand eight hundred and five, when the old town of Detroit was burnt, own or inhabit a house in the same, there shall be granted, by the governor and the judges aforesaid, or any three of them, and where they shall judge most proper, a lot, not exceeding the quantity of five thousand square feet.

The remainder of the 10,000 acres, after satisfying claims, &c. to be disposed of, by the governor and judges, to the best advantage, &c. The proceeds to be applied towards building a courthouse and gaol, &c.

SECT. 2. *And be it further enacted*, That the land remaining of the said ten thousand acres, after satisfying claims provided for by the preceding section, shall be disposed of by the governor and judges aforesaid, at their discretion, to the best advantage, who are hereby authorized to make deeds to purchasers thereof; and the proceeds of the lands so disposed of shall be applied, by the governor and judges aforesaid, towards building a courthouse and gaol in the town of Detroit; and the said governor and judges are required to make a report to congress, in writing, of their proceedings under this act. [*Approved, April 21, 1806.*]

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CHAP. 44. [XLIV.] An act making a further appropriation towards completing the south wing of the capitol, at the city of Washington.\*

[\* Obsolete.]

Not exceeding 40,000 dollars, appropriated towards completing the south wing of the capitol, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That a sum, not exceeding forty thousand dollars, shall be, and the same is hereby, appropriated, to be applied under the direction of the president of the United States, towards completing the south wing of the capitol, at the city of Washington; which said sum shall be paid out of any money in the treasury, not otherwise appropriated. [*Approved, April 21, 1806.*]

[† See the orig. act, of 3d March, 1799; chap., 128, vol. 3.]

CHAP. 45. [XLV.] An act to amend, in the cases therein mentioned, the "Act to regulate the collection of duties on imports and tonnage"†

[‡ Chap. 128, sec. 7, vol. 3.] The collector for the district of Great Egg Harbor allowed to reside at such place, &c. as the secretary of the treasury may direct.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That so much of the "Act to regulate the collection of duties on imports and tonnage,"† as requires the collector for the district of Great Egg Harbor, in the state of New Jersey, to reside at Somer's Point, be, and the same hereby is, repealed; and the said collector shall reside at such place, within said district, as may be directed by the secretary of the treasury.

**SECT. 2.** *And be it further enacted,* That the town or landing place of Darien, on the Alatamaha river, in the state of Georgia, shall be a port of delivery, to be annexed to the district of Brunswick,\* and shall be subject to the same regulations and restrictions as other ports of delivery in the United States; and a surveyor shall be appointed, to reside at the said port of delivery, who shall be entitled to receive one hundred dollars, annual salary, together with the other emoluments of office, as fixed by existing laws.

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Darien, in Georgia, to be a port of delivery, to be annexed to the district of Brunswick, &c.  
[\* See sec. 14, ch. 128, vol. 3.]  
A surveyor for Darien, with a salary of 100 dolls. with the other emoluments, &c.

**SECT. 3.** *And be it further enacted,* That Ocracoke inlet, in North Carolina, together with Shell Castle and Beacon islands, and all the shores, islands, shoals, bays, and waters, within two miles of the shores of said inlet, on each side thereof, shall be a district, to be called the district of Ocracoke; the president of the United States shall be authorized to designate such place in the said district, as he shall think proper, to be the port of entry; and a collector for said district shall be appointed, to reside at such port of entry, who, in addition to his other emoluments, shall be entitled to receive the salary now allowed to the surveyor of Beacon island,† and no other; and shall also perform the duties heretofore enjoined by law on the said surveyor: but no duties shall be paid, or secured to be paid, in the said district of Ocracoke, on any articles intended for any other port connected with the waters of the said inlet of Ocracoke, such only excepted as may be cast away within the said district. The office of surveyor of Beacon island shall be henceforth abolished, and the masters or commanders of every ship or vessel coming in at Ocracoke inlet, and intending to unlade her cargo, or any part thereof, at any port, other than the district of Ocracoke, connected with the waters of the said inlet, as well as the masters or commanders of all lighters or coasting vessels, who shall receive goods, wares, or merchandise, to be transported to any such port, shall be bound to exhibit their reports and manifests to the said collector, and to perform all the other duties, which, by the eighteenth section of the act, entitled “An act to regulate the collection of duties on imports and tonnage,”‡ they are now bound to perform, under similar circumstances, in the inlet aforesaid.

The district of Ocracoke established; the president to designate the port of entry; a collector; his salary, &c.

[† See sec. 2, ch. 129, vol. 3.]  
No duties to be paid, &c. in the district of Ocracoke, on articles intended for any other port connected with the waters of the inlet, except, &c.  
The office of surveyor of Beacon island abolished, and masters of vessels coming in at Ocracoke inlet, &c. to exhibit their reports and manifests to the collector, &c.

[‡ Chap. 128, vol. 3.]

[Approved, April 21, 1806.]

**CHAP. 46. [XLVI.]** An act in addition to an act, entitled “An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the state of Tennessee.”§

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, whenever any person who shall have received a pre-emption certificate from either of the boards of commissioners, appointed for the purpose of ascertaining the rights of persons to lands in the Mississippi territory, shall, by a final judgment or decree of the highest court of law, or equity, in which a decision could be had, within the said territory, rendered in favor of another per-

[§ See orig. act, of 3d March, 1803; chap. 346, vol. 3.]

When persons who have received pre-emption certificates from either of the boards, for ascertaining the rights of persons to lands in the Mississippi, shall, by a final judgment, by



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any person claiming by virtue of a British patent, lose the whole or part of the tract of land to which he was entitled by virtue of such certificate, it shall be lawful for the receiver of public moneys for the district where the land lies, to repay to such persons or his assigns, so much of the purchase money as had been paid by him, for the land thus recovered by the holder of the British patent.

In all cases where only a part of a tract of land, to which any person may be entitled by virtue of a certificate granted by the commissioners aforesaid, is also claimed by the holder of a British patent, a patent may issue in favor of the owners of such certificate, for so much of such tract of land as is not claimed by virtue of such British patent: *Provided*, That he shall, in every other respect, have complied with the provisions of the acts of congress regulating the grants of land in the Mississippi territory. And the lands contained in British grants, which have been duly recorded in conformity with the provisions of former laws, and for which certificates have not been granted by the commissioners aforesaid, shall not be disposed of until otherwise directed by congress.

*Persons entitled to a right of pre-emption to lands in the Mississippi territory, by virtue of certificates, are allowed till the 1st of Jan. 1807, to make the first payment of the purchase money, &c.*

*[See sec. 3, chap. 11th, post.]* Each of the commissioners for ascertaining claims to lands in the Mississippi territory, west of Pearl river, allowed at the rate of 60 cents for every day's attendance, &c. *Provide*; the additional allowance not to exceed 500 dollars for each commissioner.

The agent, &c. allowed an additional compensation of 300 dollars.

*[See chap. 380, post.]*

The register and receiver, in each of the districts of Mississippi, authorized to regulate the location of any tract, &c. for which a certificate may have been granted, whenever, &c. *Provide*; the register and receiver not to allow any location on land not improved and settled, as provided by former acts, &c.

son claiming by virtue of a British patent, lose the whole or part of the tract of land to which he was entitled by virtue of such certificate, it shall be lawful for the receiver of public moneys for the district where the land lies, to repay to such persons or his assigns, so much of the purchase money as had been paid by him, for the land thus recovered by the holder of the British patent.

In all cases where only a part of a tract of land, to which any person may be entitled by virtue of a certificate granted by the commissioners aforesaid, is also claimed by the holder of a British patent, a patent may issue in favor of the owners of such certificate, for so much of such tract of land as is not claimed by virtue of such British patent: *Provided*, That he shall, in every other respect, have complied with the provisions of the acts of congress regulating the grants of land in the Mississippi territory. And the lands contained in British grants, which have been duly recorded in conformity with the provisions of former laws, and for which certificates have not been granted by the commissioners aforesaid, shall not be disposed of until otherwise directed by congress.

**SECT. 2.** *And be it further enacted*, That persons entitled to a right of pre-emption to lands in the Mississippi territory, by virtue of certificates granted by either of the boards of commissioners aforesaid, shall be allowed till the first day of January, one thousand eight hundred and seven, to make the first payment of the purchase money of such lands: And if any such person shall neglect to make such first payment, on or before the first day of January, one thousand eight hundred and seven, his right of pre-emption shall cease and become void.\*

**SECT. 3.** *And be it further enacted*, That each of the commissioners appointed to ascertain the claims to lands in the above mentioned territory, west of Pearl river, shall be allowed at the rate of six dollars for every day he shall attend, subsequent to the first day of April, one thousand eight hundred and six: *Provided*, That such additional allowance shall not exceed five hundred dollars for each commissioner: And the agent appointed in behalf of the United States for the said board, shall be allowed an additional compensation, of three hundred and fifty dollars, for the whole of his services.† And the register and receiver of public moneys in each of the districts of the abovementioned territory, shall, and they are hereby authorized, in their districts, respectively, and after the dissolution of the board of commissioners for their district, to regulate the location of any tract of land lying within such district, for which a certificate shall have been granted by the commissioners, whenever it shall appear that the location specified in such certificates interfere with each other, or do not include the improvements by virtue of which such certificates were granted: *Provided*, That the said register and receiver shall not be authorized to allow any location on land not improved and settled, in the manner provided by the former acts of congress regulating the grants of land in the above mentioned territory; nor to allow, in any case, a greater quantity of land than had been allowed by the commissioners.

SECT. 4. *And be it further enacted*, That whenever it shall 1806.

appear to the satisfaction of the register and receiver of the district east of Pearl river, that the settlement and occupancy, by virtue of which a pre-emption certificate had been granted by the commissioners, had been made and taken place prior to the thirtieth day of March, one thousand seven hundred and ninety-eight, they shall be authorized to grant to the party a donation certificate, in lieu of such pre-emption; and the patent shall issue as in other cases of donations: *Provided*, That application shall be made for such an exchange, and evidence produced of the date of such settlement and occupancy, on or before the thirty-first day of December next.\*

When it appears that the settlement and occupancy, by virtue of which a pre-emption certificate had been granted, &c. had taken place prior to the 30th March, 1798, the register and receiver authorized to grant a donation certificate, &c. provided, &c.

[\* See sec. 2, chap. 144, post.] The right of the United States to the land described, lying at the city of Natchez, &c. vested in the corporation of that city, so as, &c.

SECT. 5. *And be it further enacted*, That the right of the United States, to all the land lying between the front street of the city of Natchez and the Mississippi river, and bounded on the north by north fourth street and the land granted to Stephen Minor, and on the south by the lands annexed to the old fort and those granted to William Barland, be, and the same hereby is, forever vested in the corporation of said city, so as not to affect the legal or equitable claims of any individuals, or of any body politic or corporate, if any such there be: *Provided*, That the said land, as above described, be neither cultivated nor occupied by buildings, but that it be planted with trees, and preserved as a common, for the use, comfort, and health, of the inhabitants of the city aforesaid, and all other persons who may occasionally resort thither.

Provido; the land to be planted with trees, and preserved as a common, &c.

SECT. 6. *And be it further enacted*, That whenever the section number sixteen shall fall upon land already granted, by virtue of any act of congress, or claimed by virtue of a British grant, the secretary of the treasury shall locate another section, in lieu thereof, for the use of schools, which location shall be made in the same township, if there be any other vacant section therein, and otherwise, in an adjoining township.

When the section No. 16 falls upon land already granted, &c. the secretary of the treasury to locate another section, for the use of schools, &c.

SECT. 7. *And be it further enacted*, That Richard Sparks be permitted to enter, with the register of the land office for the district west of Pearl river, his claim to three hundred and twenty acres of land, lying within said district; and that Richard S. Bryan, and George Brewer, senior, be permitted to enter with the register of the land office, for the district east of Pearl river, their certificate of a right of pre-emption for three hundred and twenty acres of land, lying within the district last mentioned: And such entry of the claim of the said Richard Sparks shall have the same effect as if it had been made prior to the first day of December, one thousand eight hundred and four, and such entry of the certificate of the said Richard S. Bryan, and George Brewer, senior, shall have the same effect as if it had been made within three months from the time it was issued.†

Richard Sparks permitted to enter, &c. his claim to 320 acres of land; and Richard S. Bryan and George Brewer allowed to enter, &c. their certificate of a right of pre-emption for 320 acres, &c.

[† Private.]

[Approved, April 21, 1806.]

1806. CHAP. 47. [XLVII.] An act for fortifying the ports and harbors of the United States, and for building gun boats.\*

(\* This act is obsolete, with the exception of the 3d section.

Not exceeding 100,000 dolls. appropriated to enable the president to cause the ports and harbors of the United States to be better fortified, &c.

Not exceeding 250,000 dolls. appropriated for building and completing not exceeding 50 gun boats, &c.

The president authorized to officer, man, &c. the gun boats.

Not exceeding 50,000 dolls. appropriated to defray the expense of officering, &c.

The president may direct any of the armed vessels to be sold, when so much out of repair, &c.

The sums appropriated to be paid out of money in the treasury, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That a sum of money, not exceeding one hundred and fifty thousand dollars, in addition to the sums heretofore appropriated, shall be, and the same is hereby, appropriated, to enable the president of the United States to cause the ports and harbors of the United States to be better fortified and protected.

SECT. 2. *And be it further enacted,* That a sum of money, not exceeding two hundred and fifty thousand dollars, in addition to the sums heretofore appropriated, shall be, and the same is hereby, appropriated, to enable the president of the United States to cause to be built and completed a number of gun boats, not exceeding fifty, for the protection of the harbors, coasts, and commerce, of the United States; and the president is hereby authorized to officer, man, and equip, any part, or all, of said gun boats, when he shall judge the same expedient, for the purposes aforesaid; and a sum, not exceeding twenty thousand dollars, is hereby appropriated to defray any expense which may be incurred by officering, manning, and equipping, gun boats, as aforesaid.

SECT. 3. *And be it further enacted,* That the president of the United States may direct any of the armed vessels of the United States to be sold, whenever he shall be of opinion that the said vessel is so much out of repair that it will not be for the interest of the United States to repair the same.

SECT. 4. *And be it further enacted,* That the several sums of money hereby appropriated, shall be paid out of any money in the treasury of the United States, not otherwise appropriated.

[Approved, April 21, 1806.]

[\* Repealed, and supplied by act of 2d March, 1811; chap. 307, post. See supplemental act, of 3d March, 1809; ch. 305, post.]

The president may establish trading houses, &c. on both sides of the Mississippi for carrying on trade with the Indian nations, &c.

The president may appoint a superintendent of Indian trade, &c. Duty of the superintendent.

The superintendent to take an oath:

CHAP. 48. [XLVIII.] An act for establishing trading houses with the Indian tribes.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That it shall be lawful for the president of the United States to establish trading houses, at such posts and places on the frontiers, or in the Indian country, on either or both sides of the Mississippi river, as he shall judge most convenient for the purpose of carrying on a liberal trade with the several Indian nations within the United States or their territories.

SECT. 2. *And be it further enacted,* That the president of the United States shall be authorized to appoint a superintendent of Indian trade, whose duty it shall be to purchase and take charge of all goods intended for trade with the Indian nations aforesaid, and to transmit the same to such places as he shall be directed by the president. And he shall take an oath or affirmation *faithfully to execute the trust committed to him, and that he will not, directly or indirectly, be concerned or interested in any trade, commerce, or barter, but on the public account;* and he shall also

give bond, in the penal sum of twenty thousand dollars, with sufficient security, to be approved of by the secretary of the treasury of the United States, truly and honestly to account for all the money, goods, and other property, whatever, which shall come into his hands, or for which in good faith he ought so to account, and to perform all the duties required of him by this act: and his accounts shall be made up quarter yearly, and transmitted to the secretary of the treasury.

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And give bond.

Accounts to be made up quarter yearly.

SECT. 3. *And be it further enacted*, That the superintendent of Indian trade shall receive an annual salary of two thousand dollars, payable quarter yearly, at the treasury of the United States.

The superintendent to receive an annual salary of 2,000 dolls.

SECT. 4. *And be it further enacted*, That the president of the United States shall be authorized to appoint an agent for each trading house established under the provisions of this act; and every such agent shall give bond, with sufficient security, in such sum as the president shall direct, truly and honestly to account for all the money, goods, and other property, whatever, which shall come into his hands, and for which he ought so to account, and to perform all the duties required of him by this act.

The president authorized to appoint an agent for each trading house, &amp;c., who is to give bond, &amp;c.

SECT. 5. *And be it further enacted*, That it shall be the duty of each of the said agents to receive, from the superintendent of Indian trade, and dispose of in trade with the Indian nations aforesaid, such goods as may be transmitted to him by the said superintendent, to be received and disposed of as aforesaid, according to the rules and orders which the president of the United States shall prescribe; and every such agent shall take an oath or affirmation, *faithfully to execute the trust committed to him; and that he will not, directly or indirectly, be concerned or interested in any trade, commerce, or barter, but on the public account*; and he shall render an account quarter yearly to the superintendent of Indian trade, of all money, goods, and other property, whatsoever, which shall be transmitted to him, or which shall come into his hands, or for which, in good faith, he ought to account; and he shall transmit duplicates of his accounts to the secretary of the treasury of the United States.

Duty of each agent.

Every agent to take an oath.

Agents to render an account quarter yearly, &amp;c.

SECT. 6. *And be it further enacted*, That the superintendent of Indian trade, the agents, their clerks, or other persons employed by them, shall not be, directly or indirectly, concerned in exporting to a foreign country, any peltries or furs belonging to the United States, or interested in carrying on the business of trade or commerce, on their own, or any other than the public, account, or take or apply to his or their own use, any emolument or gain for negotiating or transacting any business or trade, during his or their appointment, agency, or employment, other than provided by this act, or excepting for or on account of the United States. And if any such person shall offend against any of the prohibitions aforesaid, he shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, forfeit to the United States a sum not exceeding one thousand dollars, and shall be removed from such office, agency, or employment, and forever thereafter be incapable of holding any office under the United

The superintendent, agents, and their clerks, not to be concerned in exporting peltries or furs, or in the business of trade or commerce, excepting, &amp;c.

Persons offending against the prohibitions, &amp;c. to forfeit not exceeding 1,000 dolls., be removed, &amp;c.

**1806.** States: *Provided*, That if any person, other than a public prosecutor, shall give information of any such offence, upon which a prosecution and conviction shall be had, one-half of the aforesaid penalty, when received, shall be for the use of the person giving such information: *And provided, also*, That if such misdemeanor be committed by the superintendent of Indian trade, or by any agent, it shall be deemed a breach of the condition of his bond, and the penalty thereof may be recovered in any court having competent jurisdiction of the same.

*Proviso*; a mole-  
ty to the in-  
former, if other  
than a public  
prosecutor, &c.  
*Proviso*; if the  
misdemeanor be  
committed by  
the superintend-  
ent, or an agent,  
it is a breach of  
the condition of  
their bonds, &c.

The prices of  
goods supplied  
to the Indians,  
to be so regulat-  
ed as not to di-  
minish the capi-  
tal stock, &c.

The annual sum  
of 3,000 dolla.  
appropriated for  
the payment of  
the salary of the  
superintendent  
and his clerks,  
&c.

The president  
authorised to  
draw annually  
from the treas-  
ury not exceed-  
ing 10,000 dolla.  
for the payment  
of agents and  
clerks, &c.

200,000 dolla. in-  
cluding, &c. ap-  
propriated for  
carrying on  
trade and inter-  
course with the  
Indian nations,  
&c.

100 dolla. forfeit  
by any agent,  
clerk, &c. for  
purchasing or re-  
ceiving in the  
way of barter,  
from any Indian,  
any gun, instru-  
ment of hus-  
bandry, &c.

*Proviso*; no suit  
to be commen-  
ced except in the  
state or territory  
within which  
the cause of ac-  
tion may have  
arisen, &c.  
The superin-  
tendent of In-  
dian trade, &c.  
to collect evi-  
dence to prose-  
cute offenders,  
&c.

**SECT. 7.** *And be it further enacted*, That the prices of goods supplied to, and to be paid for by, the Indians, shall be regulated in such manner, that the capital stock, furnished by the United States, shall not be diminished.

**SECT. 8.** *And be it further enacted*, That during the continuance of this act, the annual sum of three thousand dollars be, and the same is hereby, appropriated for the payment of the salary of the superintendent of Indian trade and his clerks, to be paid out of any money in the treasury of the United States, not otherwise appropriated.

**SECT. 9.** *And be it further enacted*, That, during the continuance of this act, the president of the United States be, and he is hereby, authorized to draw, annually, from the treasury of the United States, a sum not exceeding ten thousand dollars, to be applied, under his direction, to the payment of the agents and clerks; which agents shall be allowed to draw out of the public supplies two rations each, and each clerk one ration, per day.

**SECT. 10.** *And be it further enacted*, That the sum of two hundred and sixty thousand dollars, including the sums heretofore appropriated, and applied to the like purpose, and exclusive of the salary of the superintendent of Indian trade, and of the allowances to agents and clerks, be, and the same is hereby, appropriated for the purpose of carrying on trade and intercourse with the Indian nations, in the manner aforesaid, to be paid out of any moneys in the treasury of the United States, not otherwise appropriated.

**SECT. 11.** *And be it further enacted*, That if any agent or agents, their clerks, or other persons employed by them, shall purchase or receive from any Indian, in the way of trade or barter, any gun, or other article commonly used in hunting; any instrument of husbandry or cooking utensil, of the kind usually obtained by Indians in their intercourse with white people, or any article of clothing, excepting skins or furs; he or they shall, respectively, forfeit the sum of one hundred dollars for each offence, to be recovered by action of debt, in the name and to the use of the United States, in any court having jurisdiction in like cases: *Provided*, That no suit shall be commenced except in the state or territory within which the cause of action shall have arisen, or in which the defendant may reside. And it shall be the duty of the superintendent of Indian trade, or of the superintendents of Indian affairs, and their deputies, respectively, to whom information of every such offence shall be given, to collect the requisite evidence, if attainable, to prosecute the offender without delay.

**SECT. 12.** *And be it further enacted,* That it shall be the duty of the said superintendent of Indian trade, under the direction of the president of the United States, to cause the said furs and peltry to be sold at public auction, public notice whereof shall be given, three weeks previous to such sale, in different parts of the United States, making an equal distribution of the same, in proportion to the demand of the market, and as may be deemed most advantageous to the United States, and upon such terms and conditions as shall be prescribed by the secretary of war: *Provided,* That there shall not be less than six annual public sales of the said furs and peltry, and that the superintendent of Indian trade shall not hold more than two such sales in any state during any one year.\*

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The superintendent, &c. to cause the furs and peltry to be sold at auction, giving three weeks' previous notice, &c.

Provido; not less than six annual public sales, and not more than two in any state, &c.  
[\* Proviso repealed. See sec. 3, ch. 205, post.]  
This act limited to the 31st of April, 1809.  
[† Continued. See sec. 4, chap. 205, post.]

**SECT. 13.** *And be it further enacted,* That this act shall be in force for and during the term of three years, and no longer.†  
[Approved, April 21, 1806.]

**CHAP. 49. [XLIX.]** An act for the punishment of counterfeiting the current coin of the United States; and for other purposes.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any gold or silver coins, which have been or which hereafter shall be coined at the mint of the United States, or who shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any foreign gold or silver coins, which, by law, now are or hereafter shall be made current, or be in actual use and circulation as money within the United States; or who shall utter, as true, any false, forged, or counterfeited, coins of gold or silver, as aforesaid, for the payment of money, with intention to defraud any person or persons, knowing the same to be falsely made, forged, or counterfeited; any such person, so offending, shall be deemed and adjudged guilty of felony, and, being thereof convicted according to the due course of law, shall be sentenced to imprisonment, and kept at hard labor for a period not less than three years, nor more than ten years; or shall be imprisoned not exceeding five years, and fined not exceeding five thousand dollars.

Imprisonment and hard labor, not less than three, nor more than ten years; or, imprisonment, not exceeding five years, and fine, not exceeding 5,000 dollars, for falsely making, forging, &c. gold or silver coins of the mint, or foreign gold or silver coins made current, &c. with intent to defraud, &c.

**SECT. 2.** *And be it further enacted,* That if any person shall import, or bring from any foreign place into the United States, any false, forged, or counterfeit, gold or silver coins, which are by law made current, or are in actual use and circulation as money, within the United States, with the intent to utter, or make payment with, the same, knowing the same to be falsely made, forged, or counterfeited; or who shall utter, as true, any such false, forged, or counterfeited, coins of gold or silver, as aforesaid, for the payment of money, with intention to defraud

Imprisonment and hard labor for not less than two, nor more than eight years, or imprisonment not exceeding two years, and fine not exceeding 4,000 dollars, for importing any false, forged, &c. gold or silver coins, with intent to utter them, &c.

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any person or persons, knowing the same to be falsely made, forged, or counterfeited, the person so offending shall be deemed guilty of felony, and, being thereof convicted according to the due course of law, shall be sentenced to imprisonment, and kept at hard labor, for a period not less than two years, nor more than eight years; or shall be imprisoned not exceeding two years, and fined not exceeding four thousand dollars.

Imprisonment, not exceeding two years, and fine, not exceeding 3,000 dollars, for impairing, scaling, &c. gold or silver coins of the mint, or foreign gold or silver coins declared to be current, &c.

SECT. 3. *And be it further enacted*, That if any person shall, fraudulently and for gain's sake, by any art, way, or means, whatsoever, impair, diminish, falsify, scale, or lighten, the gold or silver coins which have been, or which shall hereafter be, coined at the mint of the United States, or any foreign gold or silver coins, which are by law made current, or are in actual use and circulation, as money, within the United States, every person so offending shall be deemed guilty of a high misdemeanor, and shall be imprisoned not exceeding two years, and fined not exceeding two thousand dollars.

Nothing in this act to deprive the courts of the individual states of jurisdiction under the laws of the several states, &c.

SECT. 4. *And be it further enacted*, That nothing in this act contained shall be construed to deprive the courts of the individual states of jurisdiction, under the laws of the several states, over offences made punishable by this act.

[Approved, April 21, 1806.]

CHAP. 50. [L.] An act to repeal so much of any act or acts as authorize the receipt of evidences of the public debt in payment for lands of the United States; and for other purposes, relative to the public debt.\*

[\* See, as repealed by this act, the act of 3d

March, 1797; ch. 368, vol. 21 and sec. 7, chap. 166, vol. 3.]

So much of any acts as authorize the receipt of evidences of the public debt, in payment for lands, &c. repealed after the 30th of April, 1806.

Provide: the right of persons who have purchased previously, &c. not to be affected, &c. Provide: additional allowance on every payment made in money, before falling due, for lands purchased before the 30th April, 1806, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That so much of any act or acts as authorize the receipt of evidences of the public debt, in payment for the lands of the United States, shall, from and after the thirtieth day of April, one thousand eight hundred and six, be repealed: *Provided*, That the right of all persons who may have purchased public lands previous to the passage of this act, to pay for the same in stock, shall in no wise be affected or impaired: *And provided further*, That there shall be allowed on every payment made in money, at or before the same shall fall due, for lands purchased before the thirtieth day of April, one thousand eight hundred and six, in addition to the discounts now allowed by law, a deduction equal to the difference, at the time of such payment, between the market price of six per cent. stock and the nominal value of its unredeemed amount; which market price shall, from time to time, be stated by the secretary of the treasury to the officers of the several land offices.

The commissioners of the sinking fund not to purchase any of the several species of the public debt at a higher price than the rates specified, &c.

SECT. 2. *And be it further enacted*, That the commissioners of the sinking fund shall not be authorized to purchase any of the several species of the public debt at a higher price than at the rates following, that is to say; they shall not pay more for three per cent. stock than sixty per cent. of its nominal value; nor for any other species of the public debt more than the nomi-

nal value of its unredeemed amount, the eight per cent stock only excepted; for which they shall be authorized, in addition thereto, to give at the rate of one-half of one per cent. on the said nominal value, for each quarterly dividend which may be payable on such purchased stock, from the time of such purchase to the first day of January, one thousand eight hundred and nine.

SECT. 3. *And be it further enacted*, That so much of any act as directs that purchases of the public debt, by the commissioners of the sinking fund, shall be made within the thirty days next ensuing after each day on which a quarterly payment of interest on the debt of the United States shall become due, and also so much of any act as directs that the said purchases shall be made by open purchase or by sealed proposals, be, and the same hereby is, repealed. And the said commissioners are hereby authorized to make such purchases, under the restrictions laid by the preceding section, in such manner, and at such times and places, as they shall deem most eligible; and for that purpose to appoint a known agent or agents, to whom they may allow a commission not exceeding one-fourth of one per cent. on the respective purchases of such agents.\*

[Approved, April 18, 1806.]

So much of any act as directs purchases of the public debt, &c. to be made within 30 days, &c. and as directs purchases to be made openly or by sealed proposals, repealed.

The commissioners authorized to make purchases, &c. as they may deem most eligible, &c. appoint agents, &c.

[\* See act of 8th May, 1793; sec. 7 and 8, chap. 139, vol. 2.]

CHAP. 51. [LI.] An act for erecting certain lighthouses in the state of Massachusetts; for building a beacon, or pier, at Bridgeport, in the state of Connecticut; and for fixing buoys in Pamptico Sound, in the state of North Carolina.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of the treasury be, and he is hereby, authorized and directed to cause to be erected the following lighthouses in the state of Massachusetts:

One on Franklin island, at the mouth of St. George's river, in the district of Maine.

One at West Passamaquoddy head, at the entrance into the bay and harbor of Passamaquoddy, in the district of Maine.

And a double lighthouse at or near Chatham harbor, on the back of Cape Cod.

*Provided*, sufficient land for the accommodation of the said lighthouses can be obtained at reasonable prices, and the legislature of Massachusetts shall cede the jurisdiction over the same to the United States.† And the secretary of the treasury is hereby authorized to agree for the salaries, or wages, of the persons who may be appointed by the president for the superintendence and care of said lighthouses, and otherwise to provide for the same, at the expense of the United States.

SECT. 2. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, required to cause a beacon, or pier, to be erected near the mouth of the harbor of Bridgeport, in the state of Connecticut; and to cause buoys to be fixed on Bluff Shoal, Royal Shoal, northwest Straddle, and southwest

The secretary of the treasury directed to cause lighthouses to be erected in Massachusetts:

On Franklin island.

At West Passamaquoddy head.

At Chatham harbor.

Provido; if land can be obtained at a reasonable price, and the legislature of Massachusetts cede the jurisdiction, &c. [† See page 666, 667, vol. 1.]

The secretary of the treasury required to cause a beacon, &c. to be erected near the mouth of the harbor of Bridgeport, &c. and buoys on Bluff Shoal, &c.



1806. **Straddle, in the waters of Pamptico Sound, in the state of North Carolina.**

Appropriations  
for erecting the  
lighthouses,  
beacon, buoys,  
&c.

**SECT. 3.** *And be it further enacted,* That there be appropriated, for defraying the expense of erecting each of the aforesaid lighthouses, the sum of five thousand dollars: for the expense of erecting the said beacon, or pier, the sum of one thousand dollars; and for the expense of fixing the said buoys, one thousand dollars; to be paid, respectively, out of any money in the treasury, not otherwise appropriated.

[*Approved, April 21, 1806.*]

**CHAP. 52. [LII.]** An act supplementary to the act, entitled "An act to extend jurisdiction in certain cases to the territorial courts."

The provisions  
of the act pro-  
viding compensa-  
tion for the marshals,  
clerks, &c. extended to  
the territories  
of the United  
States, so far,  
&c. except, &c.  
[\*Ch. 126, vol. 2.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the provisions of the act, entitled "An act for providing compensation for the marshals, clerks, attorneys, jurors, and witnesses, in the courts of the United States, and to repeal certain parts of the acts therein mentioned, and for other purposes,"\* passed February the twenty-eighth, one thousand seven hundred and ninety-nine, be, and the same hereby are, extended to the territories of the United States, so far as the said act may relate to the provisions of the act, entitled "An act to extend jurisdiction in certain cases to the territorial courts,"† passed March the third, one thousand eight hundred and five; excepting that the clerks of the said territorial courts shall not receive the additional five dollars per day, allowed to the clerks of the circuit and district courts by the third section of the act first above mentioned. [*Approved, April 18, 1806.*]

[† Ch. 422, vol. 2.]

**CHAP. 53. [LIII.]** An act making appropriations for carrying into effect certain Indian treaties.

Appropriation of  
1,600 dolls. for  
carrying into  
effect the treaty  
of Grouseland.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for the purpose of carrying into effect a treaty between the United States and the Delawares, Pattawatimas, Miamis, Eel River, and Weas, holden at Grouseland, near Vincennes, on the twenty-first day of August, one thousand eight hundred and five,‡ the sum of one thousand six hundred dollars is hereby appropriated, to be paid to the said tribes, annually, as follows: to the Miamis, six hundred dollars; to the Eel River tribe, two hundred and fifty dollars; to the Weas, two hundred and fifty dollars; which several annuities shall be permanent: and to the Pattawatimas, annually, for the term of ten years, and no longer, the sum of five hundred dollars, in addition to former annuities.

[‡ See the treaty,  
page 411,  
vol. 1.]

625 dolls. annually  
appropriated  
for carrying  
into effect the

**SECT. 2.** *And be it further enacted,* That, for the purpose of carrying into effect a treaty between the United States and the Wyandot, Ottawa, Munsee, and Delaware, Shawance, and Patta-

watima nations, holden at Fort Industry, on the fourth day of 1806, July, one thousand eight hundred and five,\* the annual sum of eight hundred and twenty-five dollars be, and the same is hereby, appropriated.

SECT. 3. *And be it further enacted*, That, for the purpose of carrying into effect two treaties between the United States and the Cherokee Indians, holden at Tellico, on the twenty-fifth and twenty-seventh days of October, one thousand eight hundred and five,† a sum of fifteen thousand six hundred dollars, and the further annual sum of three thousand dollars, be, and the same is hereby, appropriated.

SECT. 4. *And be it further enacted*, That, for the purpose of carrying into effect a convention between the United States and the Creek nation of Indians, concluded at the city of Washington, on the fourteenth day of November, one thousand eight hundred and five,‡ a sum of twelve thousand dollars, annually, for eight years, and the sum of eleven thousand dollars, annually, for the term of ten years, next thereafter succeeding, be, and the same are hereby, appropriated.

SECT. 5. *And be it further enacted*, That the several sums appropriated by this act, shall be paid out of any money in the treasury, not otherwise appropriated.

[Approved, April 21, 1806.]

CHAP. 54. [LIV.] An act making appropriations for the support of the military establishment of the United States, for the year one thousand eight hundred and six.§

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for defraying the expense of the military establishment of the United States, for the year one thousand eight hundred and six, for the Indian department, and for the expense of fortifications, arsenals, magazines, and armories, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

For the pay of the army of the United States, three hundred and two thousand five hundred and fifty-six dollars.

For forage, four thousand six hundred and eight dollars.

For the subsistence of the army and corps of engineers, two hundred and twenty-four thousand nine hundred and ninety-four dollars five cents.

For clothing, eighty-five thousand dollars.

For bounties and premiums, fifteen thousand dollars.

For the medical and hospital departments, twelve thousand dollars.

For camp equipage, fuel, tools, and transportation, eighty-five thousand dollars.

For fortifications, arsenals, magazines, and armories, two hundred and eighteen thousand five hundred and forty-two dollars five cents.

For purchasing maps, plans, books, and instruments, one thousand five hundred dollars.

treaty of Fort Industry, &c. [See the treaty, page 409, vol. 1.]

Appropriation for carrying into effect two treaties between the United States and the Cherokee.

[See the treaties, pages 336, 337, vol. 1.]

Appropriation for carrying into effect the convention of Washington with the Creeks, &c.

[See the convention, page 373, vol. 1.]

The sums appropriated by this act to be paid out of the treasury, &c.

[§ Obsolete.]

Sums appropriated for defraying the expense of the military establishment, &c.

For the pay of the army.

For forage.

For the subsistence of the army, &c.

For clothing.

For bounties and premiums. For the medical and hospital departments.

For camp equipage, &c.

For fortifications, arsenals, &c.

For maps, plans, &c.

1806.

For contingent  
expenses of the  
war department.  
For pay and  
subsistence of  
commandants,  
&c.  
For the Indian  
department.

The preceding  
appropriations  
to be paid out of  
unexpended bal-  
ance, and un-  
appropriated  
moneys.

For the contingent expenses of the war department, eighteen thousand dollars.

For the pay and subsistence of the commandants in Louisiana, six thousand and sixty-six dollars sixty-seven cents.

For the Indian department, ninety-six thousand six hundred dollars.

SECT. 2. *And be it further enacted*, That the several appropriations hereinbefore made, shall be paid and discharged, first, out of any balance remaining unexpended of former appropriations for the support of the military establishment; and, secondly, out of any moneys in the treasury, not otherwise appropriated.

[*Approved, April 18, 1806.*]

CHAP. 55. [LV.] An act further to alter and establish certain post roads; and for other purposes.\*

[\* Obsolete, or  
repealed; and  
supplied. See act  
of 28th April,  
1810; chap. 255,  
post.]

The post roads  
mentioned dis-  
continued.

The post roads  
mentioned estab-  
lished.

In Massachu-  
setts.

In Maine.

In Vermont.

In Connecticut.

In New York.

In New Jersey.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the following post roads shall be discontinued: From Dixon's Spring, to Lebanon, in Tennessee; and from Raleigh, by Haywood, Chatham Courthouse, and Chapel Hill, to Hillsborough, in North Carolina.

SECT. 2. *And be it further enacted*, That the following post roads be established:

*In Massachusetts.* From Granville, through Sandisfield and New Marlborough, to Stockbridge; and from Rochester, by Middleborough, East Meetinghouse, to East Bridgewater; from Brookfield, through Brimfield, in Massachusetts, to Stafford Springs, and thence to Tolland, in Connecticut.

*In the district of Maine.* From Brewer's to Plantation number five. From Vassalborough, through Fairfax, Unity, Colletown, to Hamden. From Buckfield, through Hartford, to Livermore; and from New Milford, through Ballstown, Palermo, and Davistown, to Belfast.

*In Vermont.* From Royalton, through Tunbridge, Chelsea, and Vershire, to Corinth.

*In Connecticut.* From Pomfret, through Gloucester, to Providence, in Rhode Island.

*In New York.* From the town of Cherry Valley, through Springfield, Richfield, Plainfield, and Bridgewater, to Sangersfield; and from Harrisburg, through Williamstown, Ogdensburg, Potsdam, Chateaugay, to Plattsburg. From Rome, through Redfield, Adams, by Smith's Mills, to Sacket Harbor, and from thence to Chemangh. From Bath, through Canistiotown, Danville, and Williamsburg, to Hartford; and from Onondago to the village of Oswego in Lysander; and a cross post from West Hampton to River Head. From New Lebanon, in the state of New York, by Hancock, Richmond, Lennox, Lee, Becket, Loudon, and Sandisfield, in Massachusetts, to New Hartford, in Connecticut.

*In New Jersey.* From Belvidere to Stroudsburg, in Pennsylvania.

*In Pennsylvania.* From Berlin, through Salisbury, to Cumberland. 1806.  
 From Greensburgh to Kittanning; from Tunckhannok to Chenango Point, in New York; and from Greensburgh, through Mount Pleasant, Robbstown, and Williamsport, to Washington; and from Washington, through Alexandria, to Wheeling. From Gettysburg, through Millerstown, Nicholson's Gap, and Waynesburg, to Green Castle. *In Pennsylvania.*

*In Delaware.* From the village of Christiana, through Newark, to Strasburgh, in Pennsylvania; and from Georgetown, through Concord, to Laurel. *In Delaware.*

*In Maryland.* The post road from Vienna, in Dorchester county, to Snow Hill, in Worcester county, and thence, returning, to Vienna, may, in the discretion of the postmaster general, be so altered as to pass over Wicomico lower Ferry and Quantico Mills: *Provided,* No additional expense in transporting the mail shall be incurred thereby. *In Maryland.*

*In Virginia.* From Lynchburgh to Lexington. From Waterford to Sniker's Gap, by the stores of Robert Braden and Jesse Janny, and from thence to Upperville, and to return by Israel Janny's mill. From Wythe Courthouse, by Tazewell Courthouse, Russel Courthouse, Lee Courthouse, to Robinson's Mills. And from Madison Courthouse to Stannardsville. The post road from Manchester to Colesville shall pass by Chesterfield Courthouse and Spring Hill. *In Virginia.*

*In North Carolina.* From Averysborough by Haywood, Chatham Courthouse, to Cross Haw river, near Jones' Ferry, to Hillsborough. From Raleigh, by Chapel Hill, to Hillsborough. From Wilmington, through Conwayborough, to Georgetown, in South Carolina; and from Wilksborough to Ashe Courthouse. *In North Carolina.*

*In South Carolina.* From Portserry to Conwayborough; and from Portserry, by Marion Courthouse, to Thomas Harley's. *In South Carolina.*

*In Georgia.* From Washington to Petersburg, and from Athens to Knoxville, in Tennessee. *In Georgia.*

*In Ohio.* From Cincinnati, by North Bend, to Lawrenceburgh, in the Indiana territory. From Austinburg to Erie, in Pennsylvania, and from Franklinton to Worthington. *In Ohio.*

*In Kentucky.* From Newcastle or Henry Courthouse, by Galatin Courthouse and Boone Courthouse, to Laurenceburgh, in the Indiana territory; and the post road from Henderson to Eddeville shall pass by Livingston Courthouse. *In Kentucky.*

*In Tennessee.* From Mount Granger to Carthage, thence, by Kavenaugh, to Lebanon. From Nashville to Charlotte. From Burville, by Walnut Cove, thence, along the turnpike road, by way of Chitwood's, to Pulaski, in Kentucky; and from Palmyra to Stuart Courthouse, and thence to Eddyville. *In Tennessee.*

*In Orleans Territory.* From Rapid settlement to Opelousa. *In Orleans territory.*  
 SECT. 3.\* *And be it further enacted,* That a sum, not exceeding two hundred and fifty dollars, be, and the same is hereby appropriated, out of any moneys in the treasury, not otherwise appropriated, to enable the postmaster general to defray the expenses which already are, or hereafter may be, incurred in providing for the accommodation of Josiah H. Webb, who, in Au- (\* Private and obsolete.  
Not exceeding \$500 duits, appropriated, enable the postmaster general to defray the expenses that may be incurred in providing for the

1806.

~~Commodore~~  
of Josiah H.  
Webb, who was  
wounded whilst  
carrying the  
mail, &c.  
This act not to  
affect existing  
contracts, &c.

just last, was wounded by some person unknown, whilst he was employed in carrying the mail of the United States, and who is now under the care of the commandant at Fort Stoddert.

SECT. 4. *And be it further enacted*, That this act shall not be so construed as to affect any existing contract for carrying the mail, [*Approved, April 21, 1806.*]

## RESOLUTION.

The president  
requested to  
make known to  
Nicholas C. Nis-  
sen, Danish  
consul at Tripo-  
li, the high sense  
entertained by  
congress of his  
disinterested  
and benevolent  
attentions to  
captain Bain-  
bridge, officers,  
and crew, &c.

[No. 1.] *Resolved, by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be requested to cause to be made known to Nicholas C. Nissen, esquire, his Danish majesty's consul residing at Tripoli, the high sense entertained by congress of his disinterested and benevolent attentions, manifested to captain Bainbridge, his officers, and crew, during the time of their captivity in Tripoli. [*Approved, April 10, 1806.*]

# ACTS OF THE NINTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE SECOND SESSION, WHICH WAS BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE 1ST OF DECEMBER, 1806, AND ENDED ON THE 3D OF MARCH, 1807.

Thomas Jefferson, President. George Clinton, Vice President, and President of the Senate. Samuel Smith, President of the Senate, pro tempore, on the 3d of March. Nathaniel Macon, Speaker of the House of Representatives.

CHAP. 56. [XLVI.] An act to suspend the operation of an act, entitled "An act to prohibit the importation of certain goods, wares, and merchandise," and to remit the penalties incurred under the same.\*

1806.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the operation of the act, passed on the eighteenth day of April last, entitled "An act to prohibit the importation of certain goods, wares, and merchandise,"† be, and the same hereby is, suspended until the first day of July next.

SECT. 2. *And be it further enacted,* That all penalties, fines, and forfeitures, which may have been incurred by virtue of the provisions of the aforesaid act, be, and the same hereby are, respectively, remitted, on payment, by the parties, by whom such penalty, fine, or forfeiture, may have been incurred, of all costs which have accrued, or may accrue, before notice of this act shall have been received by the attorneys of the several districts of the United States.

SECT. 3. *And be it further enacted,* That the president of the United States be, and he is hereby, authorized further to suspend the operation of the aforesaid act, if, in his judgment, the public interest should require it: *Provided,* That such suspension shall not extend beyond the second Monday in December next.‡

[Approved, December 19, 1806.]

[\* Obsolete, See the act suspended, of 19th April, 1806; ante. chap. 50.] The act to prohibit the importation of merchandise, &c. from Great Britain, suspended until the 1st of July, 1807.

[† Ante., ch. 50.] Penalties, fines, &c. by virtue of the provisions of the act suspended, remitted, on payment of costs by the parties, &c.

The president authorized further to suspend the operation of the act hereby suspended; but not beyond the second Monday in Dec. 1807. [‡ Suspended until the second Monday of Dec. 1807, by proclamation of the 26th of March, 1807.]

CHAP. 57. [XLVII.] An act making appropriations for the support of the navy of the United States, during the year one thousand eight hundred and seven.§

[§ Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,*

**1807.**

Sums appropriated for defraying the expenses of the navy during the year 1807.

For pay and subsistence of officers, and pay of a. m. n. For provisions.

For medicines, instruments, &c.

For repairs of vessels.

For freight, store rent, &c.

For pay and subsistence of the marine corps, &c.

For clothing for the marine corps.

For military stores.

For medicine, medical services, &c.

For quartermaster's and barrackmaster's stores, officers' travelling expenses, &c.

For navy yards, &c.

For ordnance.

The sums appropriated to be paid out of unappropriated moneys, &c.

for defraying the expenses of the navy of the United States, during the year one thousand eight hundred and seven, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

For the pay and subsistence of the officers, and pay of the seamen, two hundred and ninety-six thousand and forty-eight dollars.

For provisions, one hundred and twenty thousand eight hundred and fifty dollars and three cents.

For medicines, instruments, and hospital stores, five thousand dollars.

For repairs of vessels, one hundred and ninety thousand two hundred and eight dollars and sixty-seven cents.

For freight, store rent, commissions to agents, and other contingent expenses, seventy-five thousand dollars.

For pay and subsistence of the marine corps, including provisions for those on shore, and forage for the staff, seventy-eight thousand six hundred and seventy-eight dollars and thirty cents.

For clothing for the same, fourteen thousand three hundred and sixty dollars.

For military stores for the same, five hundred and sixty dollars.

For medicine, medical services, hospital stores, and all other expenses on account of the sick belonging to the marine corps, one thousand one hundred and fifty dollars.

For quartermaster's and barrackmaster's stores, officers' travelling expenses, armorer's and carpenter's bills, fuel, premium for enlisting, musical instruments, bounty to music, and other contingent expenses, eight thousand one hundred and forty-five dollars.

For the expense of navy yards, comprising docks, and other improvements, pay of superintendents, storekeepers, clerks, and laborers, sixty thousand dollars.

For ordnance, fifty thousand dollars.

**SECT. 2.** *And be it further enacted,* That the several sums, herein specifically appropriated, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[*Approved, January 7, 1807.*]

**CHAP. 58. [XLVIII.]** An act making appropriations for the support of the military establishment of the United States, for the year one thousand eight hundred and seven.\*

(\* Obsolete.)

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for defraying the expense of the military establishment of the United States, for the year one thousand eight hundred and seven; for the Indian department, and for the expense of fortifications, arsenals, magazines, and armories, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

Sums appropriated for defraying the expense of the military establishment, &c.

For the pay of the army.

For the pay of the army of the United States, three hundred and two thousand nine hundred and fifty-two dollars.

For forage, four thousand six hundred and eight dollars.

1807.

For the subsistence of the army and corps of engineers, two hundred and thirty-five thousand five hundred and fifty-two dollars and fifty cents.

For forage.  
For the subsistence of the army, &c.

For clothing, eighty-five thousand dollars.

For clothing.

For bounties and premiums, fifteen thousand dollars.

For bounties and premiums.

For the medical and hospital departments, fifteen thousand dollars.

For the medical and hospital departments.

For camp equipage, fuel, tools, and transportation, ninety thousand dollars.

For camp equipage, &c.

For fortifications, arsenals, magazines, and armories, two hundred and eighteen thousand five hundred and forty-two dollars and five cents.

For fortifications, arsenals, &c.

For purchasing maps, plans, books, and instruments, one thousand five hundred dollars.

For maps, plans, &c.

For contingencies, eighteen thousand dollars. \*

For contingencies.

For the payment of such balances as have been ascertained, and which may be ascertained, during the years one thousand eight hundred and six, and one thousand eight hundred and seven, from actual settlements by the accountant of the war department, and which cannot be discharged out of any existing appropriation, eight thousand dollars.

For the payment of balances ascertained during 1806 and 1807, &c.

For the Indian department, one hundred thousand and six hundred dollars.

For the Indian department.

SECT. 2. *And be it further enacted*, That the several appropriations hereinbefore made, shall be paid out of any moneys in the treasury, not otherwise appropriated.

The preceding appropriations to be paid out of unappropriated moneys, &c.

[*Approved, January 10, 1807.*]

CHAP. 59. [XLIX.] An act for the relief of George Little.\*

[\* Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the proper accounting officers liquidate and adjust, with George Little, the account of damages, interest, and charges, in the case of the brig Flying Fish, captured by him while commander of the frigate Boston, in the service of the United States, during the year one thousand seven hundred and ninety-nine, and afterwards libelled in the district court of the United States, for the district of Massachusetts; in which case judgment was ultimately rendered by the circuit court, in pursuance of a decision of the supreme court of the United States; and that so much as may be necessary for satisfying the same be paid out of any moneys in the treasury, not otherwise appropriated.

The proper accounting officers to liquidate and adjust with George Little, the account of damages, interest, &c. in the case of the brig Flying Fish, captured by him while commander of the frigate Boston, &c. in which case judgment was ultimately rendered by the circuit court; and as much as necessary to be paid out of moneys in the treasury, &c.

[*Approved, January 17, 1807.*]

CHAP. 60. [L.] An act to alter the time of holding the circuit and district courts in the district of North Carolina.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That,



1807:

The sessions of the circuit court for the district of North Carolina hereafter to be holden on the 12th of May, and 12th of Nov. in each year, &c. Actions, suits, &c. continued, &c. accordingly.

instead of the times heretofore established by law, for the sessions of the circuit court for the district of North Carolina, the said courts shall hereafter commence and be holden on the twelfth day of May, and the twelfth day of November, in each year, any thing contained in any former act or acts to the contrary notwithstanding. And all actions, suits, process, pleadings, and other proceedings of what nature or kind soever, civil or criminal, commenced or to commence in the said court, and all recognisances returnable to the said court, on the twentieth day of June next, shall be continued, returned to, and have day in, the session to be holden by this act, and the same proceedings shall be had thereon as heretofore, and shall have all the effect, power, and virtue, as if the alteration had never been made: *Provided, nevertheless*, That when the twelfth day of May, or the twelfth day of November, shall happen on Sunday, the next succeeding day shall be the first juridical day of the term.

*Proviso; when the days fixed happen on Sunday, the next to be the first juridical day, &c.*

The district courts for North Carolina, after the 4th Feb. 1807, to commence on the days herein stated, &c.

SECT. 2. *And be it further enacted*, That the district courts of the United States for the district of North Carolina shall, after the passing of this act, commence and be holden on the following days, instead of the times heretofore established by law; that is to say: at Wilmington, in and for the district of Cape Fear, on the first Mondays in February, June, and October; at Newbern, in and for the district of Pamptico, on the Friday next after the first Mondays in February, June, and October; and at Edenton, in and for the district of Albemarle, on the first Tuesday which shall follow the Friday next after the first Mondays in February, June, and October.\* And that all actions, suits, writs, process, pleadings, or other proceedings, commenced or to commence, or which shall be now depending in any of the district courts of the district of North Carolina, shall be continued over, and have day in, the next district court to be holden in the several districts as hereby established, any thing in any former act or acts to the contrary notwithstanding.

[*Approved, February 4, 1807.*]

CHAP. 61. [L.I.] An act for the relief of Seth Harding, late a captain in the navy of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of the navy be, and hereby is, directed to place upon the navy list of invalid pensioners of the United States, Seth Harding, late a captain in the navy of the United States, who has been so disabled in the line of his duty, while in service, that he is unable to support himself by labor; and who shall be entitled to receive one-half his monthly pay of a captain in the navy, to commence from the first day of January, one thousand eight hundred and four, agreeably to the provisions contained in the act, entitled "An act for the better government of the navy of the United States."† [*Approved, February 6, 1807.*]

The secretary of the navy to place upon the navy list of invalid pensioners, Seth Harding, late a captain, &c. disabled in the line of his duty, &c. at one-half his monthly pay, &c.

† Chap. 187, vol. 2.]

CHAP. 62. [LII.] An act for the relief of the sufferers by fire in the town of Portsmouth, New Hampshire.<sup>4</sup>

1807.

[† Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That all persons who, being indebted to the United States for duties on merchandise, have given bond therefor, with one or more sureties, payable to the collector for the district of Portsmouth, in the state of New Hampshire; or to the collector of the district of Boston and Charlestown, and who have suffered a loss of property by the late conflagration at Portsmouth, shall be and hereby are allowed to take up, or have cancelled, all bonds heretofore given for duties as aforesaid, upon giving to the said collector or collectors new bonds, with one or more sureties, to the satisfaction of the said collector or collectors, for the sums of their former bonds, respectively, payable in twelve months from and after the day of payment specified in the bonds to be taken up and cancelled, as aforesaid; and the said collectors are hereby authorized to give up, or cancel, all such bonds, upon the receipt of others, as described in this act; which last mentioned bonds shall be proceeded with, in all respects, like other bonds which are taken by collectors for duties due to the United States: Provided, however, That nothing in this act contained shall extend to bonds which had fallen due prior to the twenty-fourth day of December last. [Approved, February 10, 1807.]*

All persons who have suffered by the conflagration at Portsmouth, &c. and who are indebted for duties, &c. may take up their bonds, &c. and give new ones, &c. payable in 12 months after the day of payment specified in the bonds taken up, &c.

Provide; nothing in this act to extend to bonds which fell due prior to the 24th of Dec. 1806.

CHAP. 63. [LIII.] An act to provide for surveying the coasts of the United States.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States shall be, and he is hereby, authorized and requested, to cause a survey to be taken of the coasts of the United States, in which shall be designated the islands and shoals, with the roads or places of anchorage, within twenty leagues of any part of the shores of the United States; and also the respective courses and distances between the principal capes, or head lands, together with such other matters as he may deem proper for completing an accurate chart of every part of the coasts within the extent aforesaid.*

The president requested to cause a survey to be taken of the coasts of the United States, in which shall be designated the islands, shoals, &c.

SECT. 2. *And be it further enacted, That it shall be lawful for the president of the United States to cause such examinations and observations to be made, with respect to St. George's bank, and any other bank or shoal, and the soundings and currents beyond the distance aforesaid to the Gulf Stream, as in his opinion may be especially subservient to the commercial interests of the United States.*

The president may cause examinations and observations to be made with respect to St. George's Bank, &c. and the soundings and currents to the Gulf Stream, &c.

SECT. 3. *And be it further enacted, That the president of the United States shall be, and he is hereby, authorized and requested, for any of the purposes aforesaid, to cause proper and intelligent persons to be employed, and also such of the public vessels in actual service, as he may judge expedient, and to give such in-*

The president is requested, for the purposes of this act, to cause proper and intelligent persons to be employed, and public vessels in actual service, &c.

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structions for regulating their conduct as to him may appear proper, according to the tenor of this act.

Not exceeding  
\$5,000 dolls. ap-  
propriated for  
carrying this act  
into effect, &c.

SECT. 4. *And be it further enacted*, That, for carrying this act into effect, there shall be, and hereby is, appropriated a sum not exceeding fifty thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, February 10, 1807.]

CHAP. 64. [LIV.] An act authorizing the erection of certain lighthouses, and the fixing of stakes, buoys, and beacons, at certain places therein named.

The secretary  
of the treasury  
directed to cause  
a lighthouse to  
be built on Fair  
Weather island,  
and one at Naushawn island;  
appoint keepers,  
&c.

Provides; if  
ground can be  
obtained at a  
reasonable  
price, and the  
legislatures of  
Connecticut and  
Massachusetts  
cede the juris-  
diction, &c.  
[\* See pages 666,  
667, vol. 1.]

The secretary  
of the treasury  
to cause the  
lighthouse on  
Smith's Point to  
be taken down,  
and another one  
to be built, &c.  
Provides; if suf-  
ficient ground  
can be obtained  
at a reasonable  
price, and the  
legislature of Vir-  
ginia cedes the  
jurisdiction, &c.  
[† See page 668,  
vol. 1.]  
The secretary  
to cause the light-  
house establish-  
ed on North  
island, &c. to be  
rebuilt, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of the treasury be, and he hereby is, authorized and directed to cause a good and sufficient lighthouse to be built at each of the following places; that is to say: on Fair Weather island, in the state of Connecticut, and at Naushawn island, near Tarpaulin cove, in the state of Massachusetts, at such points as the president of the United States may select for those purposes; and to appoint keepers, and otherwise provide for such lighthouses, at the expense of the United States: *Provided*, That sufficient ground for the accommodation of said lighthouses, respectively, can be obtained at a reasonable price: *And provided, also*, That the legislatures of the states of Connecticut and Massachusetts shall cede the jurisdiction over each place, respectively, to the United States.\*

SECT. 2. *And be it further enacted*, That the secretary of the treasury be, and he hereby is, authorized and directed to cause the lighthouse at present established on Smith's Point, at the mouth of the river Potowmac, to be taken down, and to cause another good and sufficient one to be built, at such other spot on the said point as the president of the United States may select: *Provided*, That sufficient ground for the accommodation thereof can be obtained at a reasonable price: *And provided also*, That the legislature of the state of Virginia shall cede the jurisdiction over the same to the United States.† And the secretary of the treasury is hereby further authorized and directed to cause the lighthouse heretofore established on North island, at the entrance into Winyaw bay, in the state of South Carolina, to be rebuilt in such manner as may, in his opinion, be most likely to secure its future safety.

The secretary of  
the treasury to  
cause buoys and  
stakes to be fix-  
ed in the chan-  
nel in Winyaw  
bay, &c. and  
buoys and bea-  
cons on the  
rocks, &c. in the  
channel leading  
into Salem, &c.

SECT. 3. *And be it further enacted*, That the secretary of the treasury be, and he hereby is, authorized and directed to cause proper and sufficient buoys and stakes to be fixed in and along the channel in Winyaw bay, leading to the harbor of Georgetown, in the state of South Carolina: and also, to cause proper and sufficient buoys and beacons to be placed on, or near, the rocks and shoals in the channel leading into the harbor of Salem, in the state of Massachusetts.

**SECT. 4.** *And be it further enacted, That, for the purpose of* 1807.  
 defraying the expenses which may be incurred in the execution of this act, the following sums shall be, and the same are hereby, respectively, appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated; that is to say: for building the lighthouse on Fair Weather island, five thousand dollars; for building the lighthouse on Naushawn island, two thousand five hundred dollars; for pulling down and rebuilding the lighthouse on Smith's Point, six thousand dollars; for rebuilding the lighthouse on North island, twenty thousand dollars; for fixing buoys and stakes in Winyaw bay, one thousand five hundred dollars; for fixing buoys and beacons in the channel leading to Salem harbor, one thousand five hundred dollars.

[Approved, February 10, 1807.]

**CHAP. 65. [LV.] An act for the relief of Edmund Briggs.\***

[\* Private and obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* The collector for the district of Newport be, and he hereby is, directed to pay to Edmund Briggs, owner of the schooner Phebe, or his agent, the amount of bounty or allowance arising on a fishing voyage, which was made in the said vessel, in the year one thousand eight hundred and two, upon satisfactory proof being exhibited, to the said collector, that the said schooner was employed during the four months of the fishing season.

**SECT. 2.** *And be it further enacted, That so much of the act, entitled "An act for the relief of Robert Patton, and others,"* passed on the third day of March, one thousand eight hundred and five, as is contained in the second section thereof, be, and the same hereby is, repealed.

[Approved, February 10, 1807.]

**CHAP. 66. [LVI.] An act for the relief of William Hearn.†**

[† Private.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the secretary of the treasury be, and he is hereby, authorized to inquire, by himself, or by some trusty agent whom he may appoint for the purpose, into the pecuniary circumstances of William Hearn, now imprisoned, by virtue of a writ of execution in favor of the United States, in the prison of Washington county, district of Columbia; and if said Hearn shall assign and convey to the secretary aforesaid, all the estate, of every kind and description, which he may own, or be entitled to, in possession, remainder, or reversion, to the proper use and benefit of the United States; or if he, the said Hearn, shall prove, to the satisfaction of the secretary, or agent aforesaid, that he has no estate, and has not transferred all or any part of his property,

The secretary of the treasury authorized to inquire into the pecuniary circumstances of William Hearn, imprisoned by virtue of a writ of execution in favor of the United States, &c. and if Hearn assigns all his estate, or proves that he has none, &c. the secretary of the treasury to give him a certificate, upon producing which to the marshal Hearn is to be discharged, &c.

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Proviso: If the certificate specifies that Hearn had no estate, he is to pay or become bound for fees and expenses, &c.

Proviso: nothing in this act to release any other person, nor any estate hereafter acquired by Hearn, &c.

with intent to avoid the payment of the sum for which he is imprisoned, or to defraud the United States; then the secretary of the treasury shall give to said Hearn a certificate, stating what he has done in the premises; and upon said Hearn producing such certificate to the marshal of the district of Columbia, he shall discharge said Hearn from his imprisonment: *Provided*, in case the certificate shall specify that the said Hearn has satisfied the secretary, or agent aforesaid, that he had no estate, and of course has made no assignment, then the said Hearn shall either pay, or execute to the marshal his obligation, payable to the United States, for all fees and expenses, which have arisen in consequence of his, said Hearn's, imprisonment, before he be discharged as aforesaid: *And provided*, That nothing in this act shall be construed to discharge any other person from any liability to the payment of, or from any liability to be imprisoned by virtue of, the execution aforesaid, nor to release any estate, which the said Hearn may hereafter acquire, from a liability to satisfy said execution.

[Approved, February 10, 1807.]

CHAP. 67. [LVII.] An act supplementary to the act, entitled "An act making provision for the redemption of the whole of the public debt of the United States."

[See orig. act of 20th April, 1802; chap. 292, vol. 3.]

It is desirable to adapt the nature of the provision for the redemption of the public debt to present circumstances, &c.

A subscription to the full amount of the old 6 per cent. deferred, and 3 per cent. stocks, proposed, &c. Books to be opened at the treasury, &c. on the 1st July, 1807, &c.

The subscription to be effected by a transfer, &c. in the manner provided by law, &c.

For the sum subscribed in old 6 per cent. or deferred stock, credits to be entered, and the subscribers entitled to certificates, &c. bearing an interest of 6 per cent. &c. transferable, &c.

Whereas it is desirable to adapt the nature of the provision for the redemption of the public debt to the present circumstances of the United States, which can only be done by a voluntary subscription on the part of the creditors:

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That a subscription to the full amount of the old six per cent. deferred, and three per cent. stocks, be, and the same is hereby, proposed, for which purpose books shall be opened at the treasury of the United States, and by the several commissioners of loans, on the first day of July next, to continue open until the seventeenth day of March next following, inclusively, the fourteen last days of each quarter excepted, for such parts of the above mentioned descriptions of stock as shall, on the day of subscription, stand on the books of the treasury, and of the several commissioners of loans, respectively; which subscription shall be effected by a transfer to the United States, in the manner provided by law for such transfers, of the credit or credits standing on the said books, and by a surrender of the certificates of the stock subscribed.

SECT. 2. *And be it further enacted*, That, for the whole or any part of any sum which shall thus be subscribed, in old six per cent. or deferred stock, credits shall be entered to the respective subscribers, and the subscriber or subscribers shall be entitled to a certificate, or certificates, purporting that the United States owe to the holder or holders thereof, his, her, or their assigns, a sum to be expressed therein, equal to the amount of principal of the stock thus subscribed, which shall remain unre-

deemed on the day of such subscription, bearing an interest of six per centum per annum, payable quarter yearly, from the first day of the quarter, during which such subscription shall have been made, transferable in the same manner as is provided by law for the transfers of the stock subscribed, and subject to redemption at the pleasure of the United States: *Provided*, That no single certificate shall be issued for an amount greater than ten thousand dollars: *And provided further*, That no reimbursement shall be made except for the whole amount of any such new certificate, nor till after at least six months' previous public notice of such intended reimbursement. 1807.

*Proviso: no single certificate of more than 10,000 dollars. Proviso: no reimbursement except for the whole amount of the new certificate, nor, &c.*

SECT. 3. *And be it further enacted*, That for the whole or any part of any sum which shall thus be subscribed in three per cent. stock, credits shall likewise be entered to the respective subscribers; and the subscriber, or subscribers, shall be entitled to a certificate, purporting that the United States owe to the holder or holders thereof, his, her, or their assigns, a sum to be expressed therein, equal to sixty-five per centum of the amount of principal of the stock thus subscribed, bearing an interest of six per centum per annum, payable quarter yearly, from the first day of the quarter, during which such subscription shall have been made, and transferable, and subject to redemption, in the same manner, and under the same regulations and restrictions, as the stock created by the preceding section of this act: *Provided*, That no part of the stock thus created, shall be reimburseable without the assent of the holder or holders of such stock, until after the whole of the eight per cent. and four and a half per cent. stocks, as well as all the six per cent. stock which may be created by virtue of the preceding section, shall have been redeemed.

*For any sum subscribed in 3 per cent. stock, credits to be entered, and the subscribers entitled to certificates, &c. bearing an interest of 6 per cent., &c. transferable, &c.*

*Proviso: no part of the stock reimburseable without the assent of the holder, until after the whole of the stocks mentioned have been redeemed.*

SECT. 4. *And be it further enacted*, That the commissioners of the sinking fund shall be, and they are hereby, authorized to appoint an agent in London, and another in Amsterdam, whose duty it shall be to receive subscriptions and transfers, and to issue new certificates, in the manner, and at the times, abovementioned, and as the officers of the treasury department, or the commissioners of loans, might do; that is to say: the agent in London in favor of such stockholders residing in the dominions of Great Britain, in Europe, and the agent in Amsterdam, in favor of such stockholders, residing in any other part of Europe, as may, respectively, become subscribers: *Provided*, That the certificates issued by the said agents shall bear interest only from the first day of the quarter next succeeding that in which the subscription shall have taken place; and that, in relation to subscriptions made in old six per cent. or deferred stocks, the sums expressed in such new certificates shall be equal to the amount of the principal of the old six per cent. or deferred stocks, thus subscribed, which shall remain unredeemed, after payment of the dividend payable on such stock, on that day from which the interest on the new certificates shall commence. The foreign stockholders, thus subscribing with either of the said agents, shall be entitled to receive the dividend on the old six per cent.

*The commissioners of the sinking fund authorized to appoint an agent in London, and another in Amsterdam, to receive subscriptions and transfers, and issue new certificates, &c.*

*Proviso: the certificates issued by the agents to bear interest only from the first day of the quarter next succeeding, &c.*

*Foreign stockholders subscribing with the agents, entitled to receive*

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the dividend, &c.  
The agents to transmit, before the end of each quarter, to the register of the treasury, &c., triplicate abstracts of the certificates of stocks subscribed, &c.

The agents to take an oath, &c., and become bound, &c.

deferred, or three per cent. stock, subscribed by them, respectively, which shall be payable on that day, from which the interest on the new certificates shall commence. And it shall be the duty of the said agents, respectively, to transmit, before the end of each quarter, to the register of the treasury, and to the several commissioners of loans, respectively, triplicate abstracts of the certificates of stocks subscribed, and of the new certificates issued by them, during such quarter, in order that the proper credits may be entered on the books of the treasury, and of the commissioners of loans, as the case may be, to the holders of such new certificates. And the said agents, before they enter upon the execution of their several offices, shall, respectively, take an oath or affirmation for the *diligent and faithful execution of their trust*, and shall also become bound, with one or more sureties, to the satisfaction of the commissioners of the sinking fund, or of the secretary of the treasury, in the penal sum of twenty thousand dollars, with condition for their good behavior in their said offices.

The holders of said 6 per cent. deferred, or 3 per cent. stocks, who may become subscribers in the United States or in Europe, and who are resident in Europe at the times mentioned, may receive the interest on the stock either in the United States or at London or Amsterdam, &c. at 4s. 6d. or 3 1/2 guilders for each dollar, &c.

SECT. 5. *And be it further enacted*, That the holders of old six per cent. deferred, or three per cent. stock, who may become subscribers, as aforesaid, either in the United States or in Europe, and who, on the first day of July next, and also on the day of the subscription, shall be resident in Europe, may, at their option, which must be made at the time of subscribing, receive the interest accruing on the stock created by virtue of the preceding sections of this act, either in the United States, as other creditors, or at London, or Amsterdam: that is to say, the stockholders residing, at the times abovementioned, in the dominions of Great Britain, in Europe, at London, and at the rate of four shillings and six pence, sterling, for each dollar; and the stockholders residing, at the times abovementioned, in any other part of Europe, at Amsterdam, and at the rate of two guilders and a half guilder, current money of Holland, for each dollar; in which last mentioned option the condition shall be expressed in the new certificates to be issued, and the credit or credits to be given to the proprietors thereof shall be entered, and shall thereafter be transferable only on the books of the treasury: *Provided, however*, That the interest thus payable in London and Amsterdam, shall not be payable until the expiration of six calendar months from the day on which the same would be payable in the United States, and shall be subject to a deduction of one-half of one per cent. on the amount payable, for commission to the bankers paying the same: *And provided, also*, That every proprietor of such stock may, on surrendering his certificate, receive another to the same amount, the interest whereof shall be payable quarterly yearly in the United States, in the same manner as that accruing on the stock held by persons residing in the United States.

Provided the interest payable at London and Amsterdam not to be paid until the expiration of 6 calendar months, and subject to a deduction of one-half of one per cent. on the amount payable. In Europe, may surrender their certificates, and receive others payable in the United States.

The funds heretofore pledged, &c. to remain pledged for the payment of interest and reimbursement of principal, &c.

SECT. 6. *And be it further enacted*, That the same funds which heretofore have been, and now are, pledged by law, for the payment of the interest, and for the redemption or reimbursement of the stock which may be subscribed by virtue of the provisions of this act, shall remain pledged for the payment of in-

terest accruing on the stock created by reason of such subscription, and for the redemption or reimbursement of the principal of the same. It shall be the duty of the commissioners of the sinking fund to cause to be applied and paid out of the said fund, yearly and every year, such sum and sums as may be annually wanted to discharge the annual interest and charges accruing on the stock which may be created by virtue of this act. The said commissioners are hereby authorized to apply, from time to time, such sum and sums, out of the said fund, as they may think proper, towards redeeming, by purchase, or by reimbursement, in conformity with the provisions of this act, the principal of the said stock. And the annual sum of eight millions of dollars, vested by law in the said commissioners, shall be and continue appropriated to the payment of interest and redemption of the public debt, until the whole of the stock, which may be created by the preceding sections of this act, shall have been redeemed or reimbursed.

SECT. 7. *And be it further enacted*, That there shall be allowed to each of the agents to be appointed by virtue of this act, in addition to the necessary expenses incurred by them for printing, stationery, and postage, a sum of three thousand dollars, as a full compensation for their services. The said agents, and the commissioners of loans, shall also be allowed such additional sum as may be actually and necessarily expended for the clerk hire requisite for carrying this act into effect. And for defraying the said compensations and allowances, and such other contingent charges as may be incurred for carrying this act into effect, a sum, not exceeding sixteen thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated, is hereby appropriated.

SECT. 8. *And be it further enacted*, That whensoever notice of reimbursement shall be given, as prescribed by the second and third sections of this act, the certificates intended to be reimbursed shall be designated therein. In every reimbursement the preference shall be given to such holders of certificates as, previously to the said notice, shall have notified in writing to the treasury department their wish to be reimbursed. If there should not be applications to the treasury sufficient to require the payment of the whole sum to be applied to that purpose, the secretary of the treasury, after paying off all sums for the payment of which application shall have been made, shall determine, by lot, what other certificates shall be reimbursed so as to make up the whole amount to be discharged: and in case the applications shall exceed the amount to be discharged, the secretary of the treasury shall proceed to determine, by lot, what applications shall be entitled to priority of payment.

SECT. 9. *And be it further enacted*, That the agents appointed by virtue of this act, and the several commissioners of loans, shall observe and perform such directions and regulations as shall be prescribed to them by the secretary of the treasury, touching the execution of this act.

The commissioners of the sinking fund to cause to be paid, &c. yearly, such sums as may be wanted to discharge interest and charges on the stock created by this act, and, from time to time, such sums as they may think proper towards redeeming the principal, &c.  
The annual sum of 8,000,000 dolls. &c. to continue appropriated to the payment of interest and redemption of the public debt, &c.

Each of the agents appointed by virtue of this act, allowed 3,000 dolls. as full compensation, in addition, &c.  
Agents and commissioners of loans showed as additional sum for clerk hire. Not exceeding 16,000 dolls. appropriated for carrying this act into effect, &c.

When notice of reimbursement is given, &c. the certificates, &c. to be designated.

Preference to be given to holders, &c. who have notified their wish to be reimbursed.

If there should not be applications to the treasury sufficient to require the payment of the whole sum to be applied, &c. or if the applications exceed the amount, &c. the secretary of the treasury to determine by lot, &c.

The agents, &c. to observe the directions prescribed to them by the secretary of the treasury, &c.



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Nothing in this act to impair, &c. the rights of creditors who do not subscribe, &c.

**SECT. 10.** *And be it further enacted,* That nothing in this act contained shall be construed, in any wise, to alter, abridge, or impair, the rights of those creditors of the United States who shall not subscribe to the loan created by virtue of this act.

[Approved, February 11, 1807.]

**CHAP. 68. [I.VIII.]** An act to extend the power of granting writs of injunctions to the judges of the district courts of the United States.\*

\* See act of 2d March, 1793; sec. 5, ch. 167, vol. 2.]

The judges of district courts to have full power to grant writs of injunction, to operate within their districts, &c. as is exercised by the judges of the supreme court, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the passing of this act, the judges of the district courts of the United States shall have as full power to grant writs of injunctions, to operate within their respective districts, in all cases which may come before the circuit courts within their respective districts, as is now exercised by any of the judges of the supreme court of the United States, under the same rules, regulations, and restrictions, as are prescribed by the several acts of congress establishing the judiciary of the United States, any law to the contrary notwithstanding: *Provided,* That the same shall not, unless so ordered by the circuit court, continue longer than to the circuit court next ensuing; nor shall an injunction be issued by a district judge in any case where a party has had a reasonable time to apply to the circuit court for the writ.

[Approved, February 13, 1807.]

[† See, as affected by the provisions of this act, the act of 2d March, 1799; sec. 17, chap. 38, vol. 3; act of 2d March, 1801; ch. 243, vol. 3; act of 1st May, 1802; sec. 4, ch. 306, vol. 3; and act of 19th Feb. 1803; ch. 318, vol. 3.]

After the 30th Juny, 1807, all the shore, waters, &c. of the Ohio, and of the rivers which empty into the Mississippi, &c. annexed to the district of Mississippi, &c. [† See sec. 7, ch. 310, post.] A surveyor to be appointed for Pittsburg, Charlestown, &c. with authority to grant temporary registers, &c. and each, besides fees, &c. to receive an annual salary of 150 dls.

The collector of Mississippi, on the surrender of a temporary re-

**CHAP. 69. [LIX.]** An act to annex certain shores and waters to the district of Mississippi; and to authorize the building a customhouse at New Orleans.†

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the thirtieth day of June next, all the shores and waters of the river Ohio, and of the several rivers and creeks emptying into the same; and also, all the shores and waters of the rivers which empty into the river Mississippi, or any of its branches, be, and the same are hereby, annexed to, and shall make part of, the district of Mississippi.‡

**SECT. 2.** *And be it further enacted,* That a surveyor shall be appointed for each of the following towns or places; that is to say: Pittsburg, Charlestown, Marietta, Cincinnati, Limestone, Louisville, Massac, and Natchez; who shall be authorized to grant temporary registers to vessels of the United States, in the same manner, and on the same terms and conditions, as may be done by the collectors of the several districts of the United States; and each of the said surveyors, besides the fees paid in relation to the admeasurement and registering of vessels, shall receive an annual salary of one hundred and fifty dollars.

**SECT. 3.** *And be it further enacted,* That the collector of the district of Mississippi shall, on the surrender of any temporary

register, granted to a vessel of the United States as aforesaid, 1807.

issue a permanent register for such vessel: *Provided*, That the master of such vessel shall take the usual oath, and perform all the other conditions, required by the registering act, except that he shall not be obliged to give any new bond to the said collector.

SECT. 4. *And be it further enacted*, That so much of any act or acts as erects any of the shores or waters, annexed by this act to the Mississippi district, into separate districts, be, and the same is hereby, repealed.\*

SECT. 5. *And be it further enacted*, That the secretary of the treasury be, and he hereby is, authorized and directed to cause to be built, upon some convenient site, belonging to the United States, in the city of New Orleans, a good and sufficient house, to serve as an office and place of deposit for the collector of the customs at that place. And the sum of twenty thousand dollars is hereby appropriated to defray the expense of erecting the same, to be paid out of any money in the treasury, not otherwise appropriated. [*Approved, February 13, 1807.*]

gister, &c. to issue a permanent one, &c.  
*Provide*, the masters of vessels to take the oath and perform the conditions required, &c., except, &c.  
 Any acts which erect the shores, &c., annexed by this act to the Mississippi district, into separate districts, repealed.  
 [\* See the note at the head of this chapter.]  
 The secretary of the treasury directed to cause to be built, &c., in the city of New Orleans, a good and sufficient custom-house, &c., 20,000 dols. appropriated to defray the expense, &c.

CHAP. 70. [LX.] An act authorizing the president of the United States to accept the service of a number of volunteer companies, not exceeding thirty thousand men.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he hereby is, authorized to accept of any company or companies of volunteers, either of artillery, cavalry, or infantry, who may associate and offer themselves for the service, not exceeding thirty thousand men, who shall be clothed and furnished with horses, at their own expense, and armed and equipped at the expense of the United States, after they shall be called into service, except such of them as may choose to furnish their own arms, and whose commissioned officers shall be appointed in the manner prescribed by law in the several states and territories to which such companies shall, respectively, belong: *Provided*, That where any company, battalion, regiment, brigade, or division, of militia, already organized, shall tender their voluntary service to the United States, such company, battalion, regiment, brigade, or division, shall continue to be commanded by the officers holding commissions in the same, at the time of such tender, and any vacancy thereafter occurring shall be filled in the mode pointed out by law in the state, or territory, wherein the said company, battalion, regiment, brigade, or division, shall have been originally raised.

The president authorized to accept the service of not exceeding 30,000 men, volunteers, to be clothed and furnished with horses at their own expense, and armed, &c., at the expense of the United States, except, &c.  
 Commissioned officers to be appointed as prescribed by law in the several states, &c.  
*Provide*, companies, battalions, regiments, &c., already organized, tendering voluntary service, to continue to be commanded by the officers holding commissions, &c.

SECT. 2. *And be it further enacted*, That any company, battalion, regiment, brigade, or division, thus offering itself for the service, shall be liable to be called upon, to do military duty, at any time the president of the United States shall judge proper, within two years after he shall accept the same, and shall be bound to continue in service for the term of twelve months after they shall have arrived at the place of rendezvous, unless soon-

Companies, battalions, regiments, &c., offering for service, liable to be called upon within two years after acceptance, to serve for 12 months, &c., under the same rules, &c., as regular troops, &c.

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Proviso: in lieu of clothing, non-commissioned officers and soldiers, when called into actual service, entitled to receive an equivalent in money, &c.

The president authorized to organize the companies tendering, &c. into battalions, squadrons, &c.

The companies tendering, &c. until called into actual service, bound to do militia duty, &c.

In case volunteers, in actual service, sustain any damage, in horses or equipments, furnished at their expense, &c. they are to be allowed a reasonable sum, &c.

\$50,000 dolls. appropriated towards defraying any expense incurred by virtue of this act.

er discharged; and when called into actual service, and whilst remaining therein, shall be under the same rules and regulations, and be entitled to the same pay, rations, forage, and emoluments, of every kind, bounty and clothing excepted, with the regular troops of the United States: *Provided, That*, in lieu of clothing, every noncommissioned officer and private, in any company who may thus offer themselves, shall be entitled, when called into actual service, to receive, in money, a sum equal to the cost of the clothing of a noncommissioned officer or private (as the case may be) in the regular troops of the United States.

SECT. 3. *And be it further enacted*, That the president of the United States be, and he hereby is, authorized to organize the companies so tendering their service, as aforesaid, into battalions, squadrons, regiments, brigades, and divisions, as soon as the number of volunteers shall render such organization, in his judgment, expedient; but until called into actual service, such companies shall be bound to do regular militia duty as is required by law in like manner as before the passage of this act.

SECT. 4. *And be it further enacted*, That in case any volunteer, above mentioned, while in actual service, shall sustain any damage, by injury done to his horse, or such other equipment as shall have been furnished at his own expense, or by loss of the same, without any fault or negligence on his part, a reasonable sum, to be ascertained in such manner as the president of the United States may direct, shall be allowed and paid to such volunteer for each and every such damage or loss.

SECT. 5. *And be it further enacted*, That the sum of five hundred thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, be, and the same hereby is, appropriated towards defraying any expense incurred by virtue of the provisions of this act. [*Approved, February 24, 1807.*]

CHAP. 71. [LXI.] An act establishing circuit courts, and abridging the jurisdiction of the district courts in the districts of Kentucky, Tennessee, and Ohio.

Any acts that vest in the district courts of Kentucky, East and West Tennessee, and Ohio, the powers, authority, and jurisdiction, of the circuit courts, repealed.

[<sup>o</sup> Sec. 10, chap. 20, and ch. 360, vol. 2; also, ch. 290, vol. 3.]

The districts of Kentucky, Tennessee, and Ohio, to constitute the 7th judicial circuit.

Two circuit courts annually in each district, to consist of a justice of the

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That so much of any act or acts of congress as vests in the district courts of the United States, in the districts of Kentucky, East and West Tennessee, and Ohio, the powers, authority, and jurisdiction, of the circuit courts of the United States, shall be, and the same is hereby, repealed.\*

SECT. 2. *Be it further enacted*, That, for the purpose of holding therein the circuit courts, to be established by this act, the state of Kentucky shall constitute one district, the state of Tennessee one district, and the state of Ohio one district; and the said districts of Kentucky, Tennessee, and Ohio, shall constitute and be denominated the seventh circuit. And there shall be holden, annually, in each district of the said circuit, two courts, to be called circuit courts, and to consist of one justice of the

supreme court of the United States, and the judge of the district where such court shall be holden. And the sessions of the said courts, in the district of Kentucky, shall be held at Frankfort, and commence on the first Monday in May and November, annually; in the district of Tennessee, at Knoxville, and Nashville, alternately, to commence on the first Monday in June, and third Monday in October, annually, beginning at Nashville; and in the district of Ohio, at Chillicothe, to commence on the first Monday in January, and September, annually. And the circuit court of Tennessee shall designate at which of the two places, where the said court is hereby directed to be holden, the office of clerk thereof shall be kept.\*

SECT. 3. *Be it further enacted,* That all the authority, powers, and jurisdiction, vested in the several circuit courts of the United States, or the judges thereof, or either of them, shall be, and hereby are, vested in, and may be exercised by, the several circuit courts of the seventh circuit, and the judges thereof: And that all actions, causes, pleas, process, and other proceedings, relative to any cause, civil or criminal, which shall be returnable to, or depending in, the several district courts of Kentucky, Tennessee, and Ohio, acting as circuit courts, on the first day of May next, shall be, and hereby are declared to be, respectively, transferred, returnable, and continued, to the several circuit courts constituted by this act, at the times herein appointed for the session of each of the said courts, and shall be heard, tried, and determined, therein, in the same manner, and with the same effect, as if no change had been made hereby in the courts of the said district. And the said circuit courts of the seventh circuit shall be governed by the same laws and regulations as apply to the other circuit courts of the United States, and shall appoint clerks for the said courts, respectively, who shall reside, and keep the records of the said courts, at the places of holding the courts, whereto they shall respectively belong, except as hereinbefore provided, and shall perform the same duties, and be entitled to, and receive, the same emoluments and fees, respectively, which are by law established for the clerks of the other circuit courts of the United States.

SECT. 4. *Be it further enacted,* That the state of Tennessee shall be divided into two districts, for the purpose of holding district courts in the same, one to consist of that part thereof which, by the laws of the said state, now forms the districts of Washington and Hamilton, which shall be called the district of East Tennessee; and one other, to consist of all that part of the state of Tennessee which, by the laws of the said state, now forms the districts of Winchester, Mero, and Robertson, which shall be called the district of West Tennessee. And all the authority, powers, and jurisdiction, vested in the several district courts of the United States, and the judges thereof, in those districts in which circuit courts are now held, shall be retained, and may be exercised, by the several district courts of Kentucky, East and West Tennessee, and Ohio, and the several judges thereof. And the sessions of the said district courts shall, after

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supreme court and the district judge, &c. Sessions of the circuit courts of Kentucky, Tennessee, and Ohio.

The circuit court of Tennessee see to designate where the office of clerk shall be kept. [\* See act of 23d March, 1806, chap. 142, post.] The authority, powers, &c. vested in the several circuit courts, &c. vested in the courts of the 7th circuit, &c. Actions, causes, pleas, &c. transfer, returnable, and continued, accordingly.

The circuit courts of the 7th circuit to be governed by the same regulations, &c. as apply to other circuit courts; appoint clerks, &c.

Tennessee divided into two districts, &c.

1. District of East Tennessee.

2. District of West Tennessee.

The authority, &c. &c. at all the several district courts of the United States, &c. may be exercised by the district courts of Kentucky, Tennessee, and Ohio, &c.

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Sections of the  
district courts of  
Kentucky, Ten-  
nessee, and Ohio,  
[see s. c. 3, ch.  
249, post.]

[§ See chap. 242,  
post.]

Actions, causes,  
pleas, &c. to be  
returned, and  
continued, ac-  
cordingly,

The supreme  
court to consist  
of a chief justice  
and six asso-  
ciates, &c.  
[§ 3 sec. 1, ch.  
20 vol. 2.]  
A sixth associate  
justice to be ap-  
pointed, to re-  
side in the 7th  
circuit, &c.

the first day of May next, be as follows: in Kentucky, at Frankfort, two sessions, to commence on the first Mondays in June and December, annually;\* in East Tennessee, at Knoxville, two sessions, to commence on the third Monday in April, and second Monday in October, annually; and at Nashville, two sessions, to commence on the fourth Mondays in May and November, annually; and in Ohio, at Chillicothe, three sessions, to commence on the first Mondays in February, June, and October, annually.† And all actions, causes, pleas, process, and other proceedings, relative to any cause, civil or criminal, which shall have been issued, and shall be returnable to, or depending in, the said several district courts of the United States, acting as district courts, on the said first day of May next, shall be returned and held continued to the said several district courts, respectively, at the times hereinbefore appointed for holding the same.

SECT. 5. *Be it further enacted*, That the supreme court of the United States shall hereafter consist of a chief justice and six associate justices, any law to contrary notwithstanding.‡ And, for this purpose, there shall be appointed a sixth associate justice, to reside in the seventh circuit, whose duty it shall be, until he is otherwise allotted, to attend the circuit courts of the said seventh circuit, and the supreme court of the United States, and who shall take the same oath, and be entitled to the same salary, as are required of, and provided for, the other associate justices of the United States. [Approved, February 24, 1807.]

[§ Obsolete. See  
orig. act of 28th  
Feb. 1806; ante,  
chap. 9.  
The act suspend-  
ing the commer-  
cial intercourse  
with certain  
parts of St. Do-  
mingo continued  
until the 28th  
April, 1806.  
[Ante, ch. 9.]

CHAP. 72. [LXII.] An act to continue in force for a further time, an act, entitled "An act to suspend the commercial intercourse between the United States and certain parts of the island of St. Domingo"§

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the act, entitled "An act to suspend the commercial intercourse between the United States and certain parts of the island of St. Domingo,"|| passed on the twenty-eighth day of February, one thousand eight hundred and six, be, and the same hereby is, continued in force until the end of the next session of congress, and no longer.

The prohibitions  
of the act to ex-  
tend to Gonoaive  
and Tortuga,  
and any other  
dependency not  
in possession of  
France.

SECT. 2. *And be it further enacted*, That the prohibitions and provisions of the aforesaid act shall be construed, and are hereby declared, to extend to Gonoaive and Tortuga, and to any other dependency of the said island of St. Domingo, not in possession of, or under the acknowledged government of, France.

[Approved, February 24, 1807.]

CHAP. 73. [LXIII.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 74. [LXIV.] An act respecting seizures made under the authority of the United States, and for other purposes. 1807.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* when any prosecution shall be commenced on account of the seizure of any ship or vessel, goods, wares, or merchandise, made by any collector or other officer, under any act of congress authorizing such seizure, and judgment shall be given for the claimant or claimants, if it shall appear to the court before whom such prosecution shall be tried, that there was a reasonable cause of seizure, the said court shall cause a proper certificate or entry to be made thereof; and in such case the claimant or claimants shall not be entitled to costs, nor shall the person who made the seizure, or the prosecutor, be liable to action, suit, or judgment, on account of such seizure and prosecution: *Provided,* That the ship or vessel, goods, wares, or merchandise, be, after judgment, forthwith returned to such claimant or claimants, his, her, or their, agent or agents.

When a prosecution is commenced on account of the seizure of any vessel, goods, &c. by a collector, &c. and judgment is given for the claimant, the court, if there appears to have been reasonable cause of seizure, to cause a certificate or entry to be made, and the claimant not to be entitled to costs, nor the prosecutor, &c. liable to action, &c. *Provided;* if the vessel, goods, &c. be returned, &c.

SECT. 2.\* *And be it further enacted, That* the accounting officers of the treasury be, and they are hereby, authorized and directed to allow to the collector of New York, in the settlement of his accounts, the amount of damages and costs recovered from, and paid by, him, by virtue of judgments rendered in the supreme court of the state of New York, on account of the seizure of the ship Liberty, and of the ship Two Marys; which vessels had been seized and libelled for a presumed infraction of the provisions of the act, entitled "An act concerning the registering and recording of ships or vessels."†

(\* Private.) The accounting officers of the treasury to allow the collector of New York, &c. the amount of damages and costs paid by him, &c. on account of the seizure of the ships Liberty and Two Marys, &c.

† Ch. 146, vol. 2.]

[Approved, February 24, 1807.]

CHAP. 75. [LXV.] An act to punish frauds committed on the bank of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist, in falsely making, forging, or counterfeiting, any bill or note, in imitation of, or purporting to be, a bill or note issued by order of the president, directors, and company, of the bank of the United States, or any order or check on the said bank or corporation, or any cashier thereof, or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering, any bill or note, issued by order of the president, directors, and company, of the bank of the United States, or any order or check on the said bank or corporation, or any cashier thereof, or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited bill, or note, purporting to be a bill, or note, issued by order of the president, directors, and company, of the bank of the United States, or any false, forged, or counterfeited, order or check,

Imprisonment, and hard labor, for not less than three, nor more than ten, years, or imprisonment, not exceeding ten years, and fine, not exceeding \$5,000, for forging, counterfeiting, or uttering forged or counterfeited notes, bills, or checks of, or on, the bank of the United States, with intention to defraud, &c.

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upon the said bank or corporation, or any cashier thereof, knowing the same to be falsely forged or counterfeited, or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered bill or note, issued by order of the president, directors, and company, of the bank of the United States, or any falsely altered order or check, on the said bank or corporation, or any cashier thereof, knowing the same to be falsely altered, with intention to defraud the said corporation, or any other body politic or person; every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned, and kept to hard labor, for a period not less than three years, nor more than ten years, or shall be imprisoned, not exceeding ten years, and fined, not exceeding five thousand dollars: *Provided*, That nothing herein contained shall be construed to deprive the courts of the individual states of a jurisdiction, under the laws of the several states, over the offence declared punishable by this act.

*Proviso* nothing herein to deprive the state courts of jurisdiction, &c., under the laws of the several states.

The act to punish frauds on the bank of the United States, of the date mentioned, repealed.

[Chap. 78, page 70, vol. 3.]

*Proviso*: the repeal of the act not to prevent the trial, &c., of persons guilty of a violation of its provisions, &c., previous, &c.

SECT. 2. *And be it further enacted*, That the act, entitled "An act to punish frauds committed on the bank of the United States,"\* passed the twenty-seventh day of June, one thousand seven hundred and ninety-eight, shall be, and the same is hereby, repealed: *Provided*, nevertheless, That the repeal of the said act shall not be so construed as to prevent the trial, condemnation, or punishment, of any person, or persons, charged with, or guilty of a violation of, any of its provisions, previous to the passing of this act.

[Approved, February 24, 1807.]

[† Time further extended. See act of 16th March, 1810; ch. 286, post.]

CHAP. 76. [LXVI.] An act to extend the time for locating Virginia military warrants, for returning surveys thereon to the office of the secretary of the department of war, and appropriating lands for the use of schools, in the Virginia military reservation, in lieu of those heretofore appropriated.†

The officers and soldiers of the Virginia line on continental establishment, &c., allowed until the 23d of March, 1811, to complete their locations, and until the 23d of March, 1813, to return their surveys and warrants, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Scioto rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed a further time of three years, from the twenty-third of March next, to complete their locations, and a further time of five years, from the said twenty-third of March next, to return their surveys and warrants, or certified copies of warrants, to the office of the secretary of the war department, any thing in the act, entitled "An act to ascertain the boundary of the lands reserved by the state of Virginia, northwest of the river Ohio, for the satisfaction of her officers and soldiers on continental establishment, and to limit the period for locating the said lands,"‡ to the contrary notwithstanding: *Provided*, That no locations, as aforesaid, within the abovementioned tract, shall, after the passing of this act, be made on tracts of land for which patents had previously been

[† Chap. 386, vol. 3.]

*Proviso*: no locations within the tract mentioned, to be made on tracts for which

issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this section, shall be considered as null and void. 1807.

patents had previously been issued, &c.

SECT. 2. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized to obtain copies of all the locations and surveys which have been, or may be, made within the abovementioned tract, and to cause to be run or surveyed as many straight lines across the same, as he may deem necessary, not exceeding three, and from these and such other documents as may be obtained, to cause to be made a general connected plat of all the lands located and surveyed within the same; a copy of which shall be deposited in the war department, and another copy shall be laid before Congress, together with an estimate of the surplus which may remain, after satisfying the bounties abovementioned. And the expenses incurred in surveying the lines, and obtaining the copies aforesaid, and in preparing the general plat abovementioned, shall be defrayed out of the moneys appropriated for completing the surveys of the public lands northwest of the river Ohio.

The secretary of the treasury authorized to obtain copies of all the locations and surveys, &c. and to cause to be made a general connected plat, &c.

One copy of the plat to be deposited in the war department, and another to be laid before congress, &c. The expenses, &c. to be defrayed out of the moneys appropriated for completing the surveys, &c. northwest of the Ohio. 18 quarter townships and 3 sections, to be selected by the secretary of the treasury, by lot, in the tract described, appropriated for the use of schools, and vested in the legislature of Ohio, &c. in lieu of the 1-36th part of the Virginia military reservation, vested by a former act.

SECT. 3. *And be it further enacted*, That eighteen quarter townships and three sections, to be selected by the secretary of the treasury, by lot, in that tract of land in the state of Ohio lately purchased from the Indians, and lying between the tract commonly called the United States military tract and the tract commonly called the Connecticut reserve, be, and the same are hereby, appropriated for the use of schools, in that tract of land in the state aforesaid, commonly called "the Virginia military reservation," and be vested in the legislature of that state, in trust, for the use aforesaid, and for no other use, intent, or purpose, whatever; which said eighteen quarter townships and three sections, are thus appropriated and vested in lieu of the one thirty-sixth part of the tract aforesaid, called the "Virginia military reservation," which, by a former act,\* had been appropriated and vested as aforesaid, for the use of schools within the same: *Provided, however*, That no quarter townships including the section number sixteen of such township, shall be selected, as aforesaid, for the purpose above mentioned. *And provided also*, and it is hereby understood and declared, That the said eighteen quarter townships and three sections shall be appropriated and vested, for the purposes aforesaid, only on condition that the legislature of the state of Ohio shall, within one year after the passing of this act, pass a law accepting the said eighteen quarter townships and three sections, for the purposes aforesaid, in lieu of the thirty-sixth part of the tract commonly called "the Virginia military reservation," heretofore appropriated and vested by law for the use of schools within the same; and releasing to the United States all their claim, right, title, and interest, and all the right, title, and interest, of the inhabitants of the tract of land last mentioned, to the thirty-sixth part of the said tract, heretofore appropriated and vested by law for the use of schools within the same. And if the legislature of the said state shall not pass a law as aforesaid, within one year after the passing of

(\* See chap. 334, vol. 3.)

Provide; no quarter township, &c. to be selected. Provide; the 18 quarter townships and 3 sections vested only on condition that the legislature of Ohio, within one year, accept, &c.



**1807.** this act, the said eighteen quarter townships and three sections shall not be considered and held as appropriated and vested for the purposes aforesaid, but shall be disposed of in the same manner as is, or may be, provided by law for the disposal of other public lands in the same tract.

[Approved, March 2, 1807.]

(\* See the const. art. 1, sec. 9, cl. 1, page 64, vol. 1: See also, act of 28th Feb. 1803; chap. 333, vol. 3; likewise, act of 7th April, 1798; sec. 7, chap. 45, vol. 3; and act of 26th March, 1804; sec. 10, ch. 391, vol. 3.) The importation of slaves prohibited after the 1st Jan. 1808.

**CHAP. 77. [LXVII.]** An act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord, one thousand eight hundred and eight.\*

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* from and after the first day of January, one thousand eight hundred and eight, it shall not be lawful to import or bring into the United States, or the territories thereof, from any foreign kingdom, place, or country, any negro, mulatto, or person of color, with intent to hold, sell, or dispose of such negro, mulatto, or person of color, as a slave, or to be held to service or labor.

Vessels fitted out or sailing, after the 1st Jan. 1808, for the purpose of transporting slaves to any port or place within the jurisdiction of the United States, may be seized, condemned, &c.

**SECT. 2.** *And be it further enacted, That* no citizen or citizens of the United States, or any other person, shall, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight, for himself, or themselves, or any other person whatsoever, either as master, factor, or owner, build, fit, equip, load, or otherwise prepare, any ship or vessel, in any port or place within the jurisdiction of the United States, nor shall cause any ship or vessel to sail from any port or place within the same, for the purpose of procuring any negro, mulatto, or person of color, from any foreign kingdom, place, or country, to be transported to any port or place whatsoever, within the jurisdiction of the United States, to be held, sold, or disposed of, as slaves, or to be held to service or labor; and, if any ship or vessel shall be so fitted out for the purpose aforesaid, or shall be caused to sail so as aforesaid, every such ship or vessel, her tackle, apparel, and furniture, shall be forfeited to the United States, and shall be liable to be seized, prosecuted, and condemned, in any of the circuit courts, or district courts, for the district where the said ship or vessel may be found or seized.

Persons fitting out vessels, &c. to be employed in the slave trade after the 1st Jan. 1808, or aiding or abetting, &c. to forfeit, severally, 20,000 dollars.

**SECT. 3.** *And be it further enacted, That* all and every person so building, fitting out, equipping, loading, or otherwise preparing, or sending away, any ship or vessel, knowing or intending that the same shall be employed in such trade or business, from and after the first day of January, one thousand eight hundred and eight, contrary to the true intent and meaning of this act, or any ways aiding or abetting therein, shall, severally, forfeit and pay twenty thousand dollars; one moiety thereof to the use of the United States, and the other moiety to the use of any person or persons who shall sue for and prosecute the same to effect.

A moiety of the forfeiture to the person prosecuting.

5,000 dollars, forfeit for running board from any

**SECT. 4.** *And be it further enacted, If* any citizen or citizens of the United States, or any person resident within the jurisdic-

tion of the same, shall, from and after the first day of January, 1807, one thousand eight hundred and eight, take on board, receive, or transport, from any of the coasts or kingdoms of Africa, or from any other foreign kingdom, place, or country, any negro, mulatto, or person of color, in any ship or vessel, for the purpose of selling them in any port or place within the jurisdiction of the United States, as slaves, or to be held to service or labor, or shall be in any ways aiding or abetting therein, such citizen or citizens, or person, shall, severally, forfeit and pay five thousand dollars; one moiety thereof to the use of any person or persons who shall sue for and prosecute the same to effect; and every such ship or vessel, in which such negro, mulatto, or person of color, shall have been taken on board, received, or transported, as aforesaid, her tackle, apparel, and furniture, and the goods and effects which shall be found on board the same, shall be forfeited to the United States, and shall be liable to be seized, prosecuted, and condemned, in any of the circuit courts or district courts in the district where the said ship or vessel may be found or seized. And neither the importer, nor any person or persons claiming from or under him, shall hold any right or title whatsoever to any negro, mulatto, or person of color, nor to the service or labor thereof, who may be imported or brought within the United States, or territories thereof, in violation of this law, but the same shall remain subject to any regulations not contravening the provisions of this act, which the legislatures of the several states or territories at any time hereafter may make, for disposing of any such negro, mulatto, or person of color.

of the coasts of kingdoms of Africa, after the 1st Jan. 1808, any negro, mulatto, &c. for the purpose of selling them as slaves within the jurisdiction of the United States, &c.

A moiety of the forfeiture to the person prosecuting, &c. Vessels in which negroes, &c. have been transported, their tackle, apparel, &c. to be forfeited, &c.

Neither the importer, nor persons claiming under him, to hold any right to any negro, &c. brought within the United States, &c. in violation of this law, but such negro, &c. to remain subject to the regulations of the legislatures of the several states, &c. Citizens or residents taking on board, after the 1st Jan. 1808, from the coasts or kingdoms of Africa, &c. any negro, mulatto, &c. and transporting, and selling them within the jurisdiction of the United States as slaves, &c. to suffer imprisonment, from 5 to 10 years, and pay a fine, from one to ten thousand dollars.

Forfeit of 800 dollars for selling any negro, &c. imported from any foreign kingdom, &c. after the 31st Dec. 1807, &c.

SECT. 5. *And be it further enacted,* That if any citizen or citizens of the United States, or any other person resident within the jurisdiction of the same, shall, from and after the first day of January, one thousand eight hundred and eight, contrary to the true intent and meaning of this act, take on board any ship or vessel from any of the coasts or kingdoms of Africa, or from any other foreign kingdom, place, or country, any negro, mulatto, or person of color, with intent to sell him, her, or them, for a slave, or slaves, or to be held to service or labor, and shall transport the same to any port or place within the jurisdiction of the United States, and there sell such negro, mulatto, or person of color, so transported as aforesaid, for a slave, or to be held to service or labor, every such offender shall be deemed guilty of a high misdemeanor, and being thereof convicted, before any court having competent jurisdiction, shall suffer imprisonment, for not more than ten years nor less than five years, and be fined, not exceeding ten thousand dollars nor less than one thousand dollars.

SECT. 6. *And be it further enacted,* That if any person or persons whatsoever shall, from and after the first day of January, one thousand eight hundred and eight, purchase or sell any negro, mulatto, or person of color, for a slave, or to be held to service or labor, who shall have been imported or brought from any foreign kingdom, place, or country, or from the dominions of any foreign state immediately adjoining to the United States,

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A moiety of the forfeiture to the person prosecuting, &c. *Provido*; the forfeiture not to extend to the seller or purchaser of any negro, &c. disposed of by virtue of any regulation of the legislatures of the several states, in pursuance, &c.

Vessels found, after the 1st of Jan. 1808, in any river, port, bay, &c. within the jurisdictional limits of the United States, &c. having on board any negro, &c. for the purpose of selling them as slaves, &c. to be forfeited, together with their tackle, goods on board, &c.

The president may employ armed vessels to cruise on any part of the coast where he may judge attempts will be made to violate this act, and instruct commanders of armed vessels to seize and bring in vessels found on the high seas contravening the provisions of this law, &c.

Masters of vessels seized, &c. liable to prosecution, and to a fine, not exceeding 10,000 dollars, and to imprisonment, from two to four years.

The proceeds of vessels, &c. seized, prosecuted, and condemned, to be divided equally between the United States and the officers and men,

into any port or place within the jurisdiction of the United States, after the last day of December, one thousand eight hundred and seven, knowing, at the time of such purchase or sale, such negro, mulatto, or person of color, was so brought within the jurisdiction of the United States, as aforesaid, such purchaser and seller shall, severally, forfeit and pay, for every negro, mulatto, or person of color, so purchased or sold as aforesaid, eight hundred dollars; one moiety thereof to the United States, and the other moiety to the use of any person or persons who shall sue for and prosecute the same to effect: *Provided*, That the aforesaid forfeiture shall not extend to the seller or purchaser of any negro, mulatto, or person of color, who may be sold, or disposed of in virtue of any regulation which may hereafter be made by any of the legislatures of the several states in that respect, in pursuance of this act, and the constitution of the United States.

**SECT. 7.** *And be it further enacted*, That if any ship or vessel shall be found, from and after the first day of January, one thousand eight hundred and eight, in any river, port, bay, or harbor, or on the high seas, within the jurisdictional limits of the United States, or hovering on the coast thereof, having on board any negro, mulatto, or person of color, for the purpose of selling them as slaves, or with intent to land the same, in any port or place within the jurisdiction of the United States, contrary to the prohibition of this act, every such ship or vessel, together with her tackle, apparel, and furniture, and the goods or effects which shall be found on board the same, shall be forfeited to the use of the United States, and may be seized, prosecuted, and condemned, in any court of the United States having jurisdiction thereof. And it shall be lawful for the president of the United States, and he is hereby authorized, should he deem it expedient, to cause any of the armed vessels of the United States to be manned and employed to cruise on any part of the coast of the United States, or territories thereof, where he may judge attempts will be made to violate the provisions of this act, and to instruct and direct the commanders of armed vessels of the United States to seize, take, and bring into any port of the United States, all such ships or vessels, and moreover to seize, take, and bring into any port of the United States, all ships or vessels of the United States, wheresoever found on the high seas, contravening the provisions of this act, to be proceeded against according to law; and the captain, master, or commander, of every such ship or vessel, so found and seized as aforesaid, shall be deemed guilty of a high misdemeanor, and shall be liable to be prosecuted before any court of the United States having jurisdiction thereof; and being thereof convicted, shall be fined, not exceeding ten thousand dollars, and be imprisoned, not less than two years and not exceeding four years. And the proceeds of all ships and vessels, their tackle, apparel, and furniture, and the goods and effects on board of them, which shall be so seized, prosecuted, and condemned, shall be divided equally between the United States and the officers and men who shall make such

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Sec. whether of the navy or revenue cutters, and distributed as in the case of prizes; Sec. *Proviso*: the officers and men engaged, Sec. to make keep every negro, mulatto, &c. and deliver them to persons appointed to receive them, &c.

seizure, take, or bring the same into port for condemnation, whether such seizure be made by an armed vessel of the United States, or revenue cutters thereof, and the same shall be distributed in like manner as is provided by law for the distribution of prizes taken from an enemy: *Provided*, That the officers and men, to be entitled to one-half of the proceeds aforesaid, shall safe keep every negro, mulatto, or person of color, found on board of any ship or vessel so by them seized, taken, or brought into port for condemnation, and shall deliver every such negro, mulatto, or person of color, to such person or persons as shall be appointed, by the respective states, to receive the same; and if no such person or persons shall be appointed by the respective states, they shall deliver every such negro, mulatto, or person of color, to the overseers of the poor of the port or place where such ship or vessel may be brought or found, and shall immediately transmit to the governor or chief magistrate of the state an account of their proceedings, together with the number of such negroes, mulattoes, or persons of color, and a descriptive list of the same, that he may give directions respecting such negroes, mulattoes, or persons of color.

SECT. 8. *And be it further enacted*, That no captain, master, or commander, of any ship or vessel, of less burthen than forty tons, shall, from and after the first day of January, one thousand eight hundred and eight, take on board and transport any negro, mulatto, or person of color, to any port or place whatsoever, for the purpose of selling or disposing of the same as a slave, or with intent that the same may be sold or disposed of to be held to service or labor, on penalty of forfeiting, for every such negro, mulatto, or person of color, so taken on board and transported, as aforesaid, the sum of eight hundred dollars; one moiety thereof to the use of the United States, and the other moiety to any person or persons who shall sue for and prosecute the same to effect: *Provided, however*, That nothing in this section shall extend to prohibit the taking on board or transporting on any river, or inland bay of the sea, within the jurisdiction of the United States, any negro, mulatto, or person of color, (not imported contrary to the provisions of this act) in any vessel or species of craft whatever.

Masters of vessels of less than 40 tons burthen, not to take on board, after the 1st of Jan. 1808, nor transport any negro, &c. to any port or place whatever, for the purpose of disposing of him as a slave, on penalty of forfeiting 800 dollars. A moiety of the forfeiture to the person prosecuting, &c. *Proviso*: nothing in this section to prohibit the transporting, within the jurisdiction of the United States, any negro, &c. in any vessel whatever.

SECT. 9. *And be it further enacted*, That the captain, master, or commander, of any ship or vessel, of the burthen of forty tons or more, from and after the first day of January, one thousand eight hundred and eight, sailing coastwise, from any port in the United States to any port or place within the jurisdiction of the same, having on board any negro, mulatto, or person of color, for the purpose of transporting them, to be sold or disposed of as slaves, or to be held to service or labor, shall, previous to the departure of such ship or vessel, make out and subscribe duplicate manifests of every such negro, mulatto, or person of color, on board such ship or vessel, therein specifying the name and sex of each person, their age and stature, as near as may be, and the class to which they respectively belong, whether negro, mulatto, or person of color, with the name and place of residence of

Masters of vessels, of the burthen of 40 tons or more, after the 1st of Jan. 1808, sailing coastwise, &c. and having on board any negro, &c. to be transported and sold as slaves, &c. to make out and subscribe duplicate manifests of every negro, &c. and deliver the manifests to the collector or surveyor, &c.

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The master, owner, &c. to swear that the persons were not imported after the 1st Jan. 1808, &c.

The collector or surveyor to certify, &c. grant a permit to proceed, &c.

Vessels departing without the master's having made out and subscribed duplicate manifests of every negro, &c. on board, &c. or taking on board any other negro, &c. than those specified in the manifests, to be forfeited, together with tackle, apparel, &c.

The master, &c. to forfeit 1,000 dolls. for every negro, &c. transported, &c. contrary to this act.

A moiety of the forfeiture to the person prosecuting, &c.

The master, &c. of every vessel of 40 tons or more, sailing coastwise after the 1st Jan. 1808, and having on board any negro, &c. to sell, &c. arriving in one port of the United States from another, to deliver the certified manifest, &c. and swear to the truth of it, &c.

If the collector, &c. is satisfied, &c. he is to grant a permit for the landing of the negro, &c.

every owner or shipper of the same, and shall deliver such manifests to the collector of the port, if there be one, otherwise to the surveyor, before whom the captain, master, or commander, together with the owner, or shipper, shall severally swear or affirm, to the best of their knowledge and belief, that *the persons therein specified were not imported or brought into the United States from and after the first day of January, one thousand eight hundred and eight, and that, under the laws of the state, they are held to service or labor*; whereupon the said collector or surveyor shall certify the same on the said manifests, one of which he shall return to the said captain, master, or commander, with a permit, specifying thereon the number, names, and general description, of such persons, and authorizing him to proceed to the port of his destination. And if any ship or vessel, being laden and destined as aforesaid, shall depart from the port where she may then be, without the captain, master, or commander, having first made out and subscribed duplicate manifests of every negro, mulatto, and person of color, on board such ship or vessel, as aforesaid, and without having previously delivered the same to the said collector or surveyor, and obtained a permit, in manner as herein required, or shall, previous to her arrival at the port of her destination, take on board any negro, mulatto, or person of color, other than those specified in the manifests, as aforesaid, every such ship or vessel, together with her tackle, apparel, and furniture, shall be forfeited to the use of the United States, and may be seized, prosecuted, and condemned, in any court of the United States having jurisdiction thereof; and the captain, master, or commander, of every such ship or vessel, shall, moreover, forfeit, for every such negro, mulatto, or person of color, so transported, or taken on board, contrary to the provisions of this act, the sum of one thousand dollars, one moiety thereof to the United States, and the other moiety to the use of any person or persons who shall sue for and prosecute the same to effect.

SECT. 10. *And be it further enacted*, That the captain, master, or commander, of every ship or vessel, of the burthen of forty tons or more, from and after the first day of January, one thousand eight hundred and eight, sailing coastwise, and having on board any negro, mulatto, or person of color, to sell or dispose of as slaves, or to be held to service or labor, and arriving in any port within the jurisdiction of the United States, from any other port within the same, shall, previous to the unlading or putting on shore any of the persons aforesaid, or suffering them to go on shore, deliver to the collector, if there be one, or, if not, to the surveyor residing at the port of her arrival, the manifest certified by the collector or surveyor of the port from whence she sailed, as is hereinbefore directed, to the truth of which, before such officer, he shall swear or affirm; and if the collector or surveyor shall be satisfied therewith, he shall thereupon grant a permit for unlading, or suffering such negro, mulatto, or person of color, to be put on shore; and if the captain, master, or commander, of any such ship or vessel, being laden

as aforesaid, shall neglect or refuse to deliver the manifest at the time, and in the manner, herein directed, or shall land or put on shore any negro, mulatto, or person of color, for the purpose aforesaid, before he shall have delivered his manifest, as aforesaid, and obtained a permit for that purpose, every such captain, master, or commander, shall forfeit and pay ten thousand dollars, one moiety thereof to the United States, the other moiety to the use of any person or persons who shall sue for and prosecute the same to effect. [Approved, March 2, 1807.]

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Masters, &c. neglecting or refusing to deliver the manifests, or landing any negro, &c. before delivering manifests, &c. to forfeit 10,000 dollars. A moiety of the forfeiture to the person prosecuting, &c.

CHAP. 78. [LXVIII.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 79. [LXIX.] An act for the relief of Oliver Pollock.\*

[\* Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officers of the treasury be, and they are hereby, authorized to liquidate and settle the account of Oliver Pollock, formerly commercial agent for the United States at New Orleans, and that they allow him for his expenses of detention at the Havanna; for the sum paid Thomas Patterson, as his hostage; for gunpowder furnished; for commission on the sum paid for gunpowder, and for commission on the sum of seventy-four thousand and eighty-seven dollars, at the rate of two and one-half per cent. with interest until paid; and that the same be paid out of any moneys in the treasury, not otherwise appropriated: *Provided,* The said Pollock shall, upon the receipt of the sums directed to be paid by this act, execute, in consideration thereof, a discharge to the United States of all demands whatsoever, and lodge the same with the register of the treasury.

The proper accounting officers of the treasury authorized to liquidate and settle the account of Oliver Pollock, and allow him, &c.

Provided, Oliver Pollock, upon the receipt of the sums directed to be paid, to execute a discharge of all demands, &c.

[Approved, March 3, 1807.]

CHAP. 80. [LXX.] An act allowing an additional compensation to the judges of the Mississippi, Indiana, Michigan, and Louisiana, territories.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That each of the judges of the Mississippi, Indiana, Michigan, and Louisiana, territories, appointed under the authority of the United States, be entitled to the annual sum of twelve hundred dollars, in lieu of his present compensation, to commence on the first day of January last.† [Approved, March 3, 1807.]

Each of the judges, of the Mississippi, Indiana, Michigan, and Louisiana, territories, to be entitled to the annual sum of 1,200 dollars. In lieu, &c.

[† For previous compensation, &c. see sec. 3, chap. 198, vol. 8; sec. 5, chap. 45, vol. 3; sec. 3, ch. 419, vol. 3; and sec. 6, ch. 446, vol. 3.]

1807. CHAP. 81. [LXXI.] An act authorizing the settlement of the accounts between the United States and William Eaton.\*

[\* Private and obsolete.]

The proper accounting officers to liquidate and settle the accounts between the United States and William Eaton, late consul at Tunis, upon just and equitable principles, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officers be, and they hereby are, authorized and directed to liquidate and settle the accounts subsisting between the United States and William Eaton, late consul at Tunis, upon just and equitable principles, under the direction of the secretary of state. [Approved, March 3, 1807.]

[† Private and obsolete.]

CHAP. 82. [LXXII.] An act for the relief of Stephen Sayre.†

The accounting officers of the treasury to settle the account of Stephen Sayre, as secretary of legation to the American commission at the court of Berlin, &c.

Provido; Stephen Sayre, upon the receipt of the sum directed to be paid, to execute a discharge of all demands, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the treasury be, and they are hereby, authorized to settle the account of Stephen Sayre, as secretary of legation to the American commission at the court of Berlin, in the year one thousand seven hundred and seventy-seven, and that they allow him not exceeding four months' pay, at the rate of one thousand pounds sterling per annum, and the compensation usually made for returning home, with interest on the whole sum until paid: *Provided,* The said Sayre shall, upon the receipt of the sum directed to be paid by this act, execute, in consideration thereof, a discharge to the United States, of all demands whatsoever, and lodge the same with the register of the treasury. [Approved, March 3, 1807.]

[‡ Obsolete.]

CHAP. 83. [LXXIII.] An act making appropriations for finishing the south wing of the capitol, and for other purposes.‡

Additional sums appropriated for the purposes mentioned.

For finishing the south wing of the capitol.

For furnishing the south wing, &c.

For making a new roof, &c. to the north wing, &c.

For opening and repairing avenues and roads.

For repairs, &c. on the president's house, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, in addition to appropriations already made, the following sums of money shall be, and the same are hereby, appropriated, to be applied, under the direction of the president of the United States, to the purposes hereinafter mentioned; that is to say:

For finishing the south wing of the capitol, twenty-five thousand dollars.

For furnishing the same for the accommodation of the house of representatives, seventeen thousand dollars.

For making a new roof and other repairs to the north wing of the capitol, twenty-five thousand dollars.

For opening and repairing avenues and roads within the territory of Columbia, three thousand dollars.

For repairs and improvements on the president's house, and the lot of ground on which the same stands, fifteen thousand dollars.

The sums appro-

SECT. 2. *And be it further enacted,* That the several sums

of money hereby appropriated, shall be paid out of any money 1807.  
in the treasury, not otherwise appropriated. printed to be paid  
out of the treasury,  
&c.

[Approved, March 3, 1807.]

CHAP. 84. [LXXIV.] An act making appropriations for the support of government, during the year one thousand eight hundred and seven.\* [\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for the expenditure of the civil list, in the present year, including the contingent expenses of the several departments and officers; Summ appropriated  
for the ob-  
jects mentioned. for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expenses of intercourse with foreign nations; for the support of lighthouses, beacons, buoys, and public piers; for the defraying the expenses of surveying the public lands and for satisfying certain miscellaneous claims, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

For compensation granted by law to the members of the senate and house of representatives, their officers, and attendants, estimated for a session of four months and a half continuance, two hundred and one thousand four hundred and twenty-five dollars. For the members  
of congress, &c.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of congress, twenty-four thousand two hundred dollars. For the contin-  
gent expenses of  
congress.

For all contingent expenses of the library, and librarian's allowance, for the year one thousand eight hundred and seven, eight hundred dollars. For the contin-  
gent expenses of  
library, &c.

For compensation to the president and vice president of the United States, thirty thousand dollars. For the president  
and vice  
president.

For compensation to the secretary of state, clerks, and persons employed in that department, thirteen thousand dollars. For the secreta-  
ry of state,  
clerks, &c.

For the incidental and contingent expenses of the said department, four thousand two hundred dollars. For contin-  
gent expenses  
of the depart-  
ment of state.

For printing and distributing copies of the laws of the second session of the ninth congress, and printing the laws in newspapers, eight thousand two hundred and fifty dollars. For printing  
and distributing  
the laws, &c.

For special messengers charged with despatches, two thousand dollars. For special mes-  
sengers, &c.

For compensation to the secretary of the treasury, clerks, and persons employed in his office, sixteen thousand seven hundred dollars. For the secreta-  
ry of the trea-  
sury, clerks,  
&c.

For the expense of translating foreign languages, allowance to the person employed in receiving and transmitting passports and sealetters, stationery, and printing, one thousand dollars. For translating  
foreign lan-  
guages, &c.

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, twelve thousand nine hundred and seventy-seven dollars. For the com-  
ptroller, clerks,  
&c.

For expense of stationery, printing, and incidental and contingent expenses of the comptroller's office, eight hundred dollars. For contingent  
expenses of the  
comptroller's  
office.



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For the auditor,  
clerks, &c.  
For contingent  
expenses in the  
auditor's office,  
&c.

For compensation to the auditor of the treasury, clerks, and persons in his office, twelve thousand two hundred dollars.

For expense of stationery, printing, and incidental and contingent expenses in the office of the auditor of the treasury, five hundred dollars.

For the treasurer,  
clerks, &c.

For compensation to the treasurer, clerks, and persons employed in his office, six thousand two hundred and twenty-seven dollars and forty-five cents.

For contingent  
expenses in the  
treasurer's of-  
fice.

For expense of stationery, printing, and incidental and contingent expenses in the treasurer's office, three hundred dollars.

For the regis-  
ter, clerks, &c.

For compensation to the register of the treasury, clerks, and persons employed in his office, sixteen thousand and fifty-two dollars and two cents.

For stationery  
and printing in  
the register's  
office.

For expense of stationery and printing in the register's office, (including books for the public stock, and for the arrangement of the marine papers) two thousand eight hundred dollars.

For books,  
maps, &c. for  
the treasury de-  
partment.

For purchasing books, maps, and charts, for the use of the treasury department, four hundred dollars.

For the secreta-  
ry of the com-  
missioners of the  
sinking fund.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

For fuel, &c. for  
the treasury de-  
partment.

For fuel, and other contingent expenses of the treasury department, four thousand dollars.

For stating and  
printing the  
public accounts,  
&c.

For defraying the expenses incident to the stating and printing of the public accounts, for the year one thousand eight hundred and seven, one thousand two hundred dollars.

For a superin-  
tendant of the  
buildings, &c. of  
the treasury  
watchmen, &c.

For compensation to a superintendent employed to secure the buildings and records of the treasury, during the year one thousand eight hundred and seven, including the expense of two watchmen, and for the repair of two fire engines, buckets, lanterns, and other incidental expenses, one thousand one hundred dollars.

For the secreta-  
ry of war,  
clerks, &c.

For compensation to the secretary of war, clerks, and persons employed in his office, eleven thousand two hundred and fifty dollars.

For contingent  
expenses of the  
office of the se-  
cretary of war.

For the expense of fuel, stationery, printing, and other contingent expenses of the office of the secretary of war, one thousand dollars.

For the account-  
ant of the war  
department,  
clerks, &c.

For compensation to the accountant of the war department, clerks, and persons employed in his office, ten thousand nine hundred and ten dollars.

For contingent  
expenses in the  
accountant's  
office.

For contingent expenses in the office of the accountant of the war department, one thousand dollars.

For clerks in  
the paymaster's  
office.

For compensation to clerks employed in the paymaster's office, one thousand eight hundred dollars.

For fuel in the  
same.

For fuel in the said office, ninety dollars.

For the purvey-  
or of public sup-  
plies, clerks, &c.

For compensation to the purveyor of public supplies, clerks, and persons employed in his office, and for expense of stationery, store rent, and fuel, for the said office, four thousand six hundred dollars.

For the secreta-  
ry of the navy,  
clerks, &c.

For compensation to the secretary of the navy, clerks, and persons employed in his office, nine thousand eight hundred and ten dollars.

**For expense of fuel, stationery, printing, and other contingent expenses in the office of the secretary of the navy, two thousand dollars.** 1807.

**For compensation to the accountant of the navy, clerks, and persons employed in his office, ten thousand four hundred and ten dollars.**

**For contingent expenses in the office of the accountant of the navy, five hundred dollars.**

**For compensation to the postmaster general, to the assistant postmaster general, and clerks, and persons employed in the postmaster general's office, fourteen thousand four hundred and fifty dollars.**

**For expense of fuel, candles, house rent for the messenger, stationery, chests, &c. exclusive of expenses for prosecution, portmanteaus, mail locks, and other expenses incident to the department, these being paid for by the postmaster general out of the funds of the office, two thousand five hundred dollars.**

**For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars.**

**For compensation to the clerks of the several commissioners of loans, and for an allowance to certain loan officers, in lieu of clerk hire, and to defray the authorized expenses of the several loan offices, fifteen thousand dollars.**

**For compensation to the surveyor general, and for that of the clerks employed by him, three thousand two hundred dollars.**

**For compensation to the surveyor of the lands south of the state of Tennessee, clerks employed in his office, stationery, and other contingencies, three thousand two hundred dollars.**

**For compensation to the officers of the mint:**

**The director, two thousand dollars:**

**The treasurer, one thousand two hundred dollars:**

**The assayer, one thousand five hundred dollars:**

**The chief coiner, one thousand five hundred dollars:**

**The melter and refiner, one thousand five hundred dollars:**

**The engraver, one thousand two hundred dollars:**

**One clerk, at seven hundred dollars;**

**And two clerks, at five hundred dollars.**

**For the wages of persons employed in the different branches of melting, coining, carpenter's, millwright's, and smith's work, including the sum of one thousand dollars per annum, allowed to an assistant coiner and die forger, who also oversees the execution of the iron work, seven thousand two hundred and seventy-eight dollars.**

**For the repairs of furnaces, costs of rollers and screws, timber, bar iron, lead, steel, potash, and for all other contingencies of the mint, two thousand six hundred and fifty dollars.**

**For compensation to the governor, judges, and secretary, of the territory of Orleans, thirteen thousand dollars.**

**For incidental and contingent expenses of the executive officers of the said territory, and for express hire, and compensation of an Indian interpreter, two thousand eight hundred and fifty dollars.**

For contingent expenses in the office of the secretary of the navy.

For the accountant of the navy, clerks, &c.

For contingent expenses in the accountant's office.

For the postmaster general, assistant, clerks, &c.

For fuel, candles, stationery, &c. for the general post office.

For the loan officers.

For clerks of the commissioners of loans, &c.

For the surveyor general, clerks, &c.

For the surveyor of the lands south of Tennessee, clerks, &c.

For the officers of the mint.

Director.

Treasurer.

Assayer.

Chief coiner.

Melter and refiner.

Engraver.

Clerks.

For the wages of persons employed in the mint, &c.

For contingencies of the mint establishment, &c.

For the governor, &c. of the territory of Orleans.

For contingent expenses of the executive officers of the territory of Orleans, &c.

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For the governor, judges, &c. of the Mississippi territory.

For contingent territorial expenses, &c.

For the governor, judges, &c. of the Indiana territory.

For contingent territorial expenses, &c.

For the governor, judges, &c. of the Michigan territory.

For contingent territorial expenses.

For the governor, judges, &c. of the Louisiana territory.

For contingent territorial expenses.

For the discharge of demands not otherwise provided for, &c.

For additional compensation to the clerks of the several departments, and of the general post office, &c.

[\* Ante, ch. 41.]

For judges, attorney general, &c.

For district attorneys.

For the marshals of the districts mentioned.

For the expenses of courts, jurors and witnesses, &c. in aid of the funds arising from fines, &c.

For pensions, &c.

For the invalid pensioners, &c.

For compensation to the governor, judges, and secretary, of the Mississippi territory, five thousand nine hundred and fifty dollars.

For expense of stationery, office rent, and other contingent expenses in said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Indiana territory, five thousand one hundred and fifty dollars.

For expenses of stationery, office rent, and other contingent expenses of the said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Michigan territory, five thousand one hundred and fifty dollars.

For expense of stationery, office rent, and other contingent expenses of the said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Louisiana territory, five thousand one hundred and fifty dollars.

For expense of stationery, office rent, and other contingent expenses of the said territory, three hundred and fifty dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in a due course of settlement at the treasury, two thousand dollars.

For additional compensation to the clerks of the several departments of state, treasury, war, and navy, and of the general post office, not exceeding, for each department, respectively, fifteen per centum, in addition to the sums allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads; and for other purposes,"\* thirteen thousand two hundred and sixty-nine dollars.

For compensation granted by law to the chief justice, associate judges, and district judges, of the United States, including the chief justice, and two associate judges, of the district of Columbia; to the attorney general, and to the judge of the district of Orleans; fifty-nine thousand four hundred dollars.

For the like compensation, granted to the several district attorneys of the United States, three thousand four hundred dollars.

For compensation to the marshals of the districts of Maine, New Hampshire, Vermont, Kentucky, Ohio, East and West Tennessee, and Orleans, one thousand six hundred dollars.

For defraying the expenses of the supreme, circuit, and district, courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, forfeitures, and penalties, and likewise for defraying the expenses of prosecution for offences against the United States, and for safe keeping of prisoners, forty thousand dollars.

For the payment of sundry pensions granted by the late government, eight hundred and sixty dollars.

For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March, one thousand eight hundred and seven, to the fourth of March, one thousand eight hundred and eight, ninety-eight thousand dollars.

For the maintenance and support of lighthouses, beacons, buoys, and public piers, and stakeage of channels, bars, and shoals, and certain contingent expenses, eighty-three thousand nine hundred and sixty-one dollars and eight cents.

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For the support of lighthouses, beacons, buoys, &c.

For erecting a lighthouse on St. Simon's island, in Georgia, the former appropriation of seven thousand dollars for that object having been carried to the surplus fund, nineteen thousand dollars.

For erecting a lighthouse on St. Simon's island, Georgia, &c.

For erecting lighthouses at the mouth of the Mississippi river, and at or near the pitch of Cape Look Out, in North Carolina, in addition to the sums heretofore appropriated by law for those objects, the balance of a former appropriation for those objects, of twenty-four thousand six hundred and twenty-five dollars and ninety-six cents, having been carried to the surplus fund, fifty-five thousand dollars.

For erecting lighthouses at the mouth of the Mississippi, and at or near the pitch of Cape Look Out, &c.

For erecting a lighthouse on Whitehead, at the entrance of Penobscot bay, the former appropriation for that object having been carried to the surplus fund, two thousand two hundred and five dollars and eighty cents.

For erecting a lighthouse on Whitehead, &c.

For the erection of beacons in the harbor of New York, in addition to the sums heretofore appropriated, one thousand two hundred dollars.

For the erection of beacons in the harbor of New York, &c.

For defraying the expenses incurred in surveying the coast of North Carolina, between Cape Hatteras and Cape Fear, in addition to the sum heretofore appropriated for that object, one thousand three hundred dollars.

For expenses of surveying the coast of North Carolina, between Cape Hatteras and Cape Fear, &c.

For compensating the commissioners in the aforesaid service for the loss of their effects incident to the service, on board the revenue cutters wrecked at Ocracock; the amount of which loss the accounting officers of the treasury are hereby authorized to liquidate and allow, upon satisfactory proof being exhibited to them of such loss; one thousand six hundred dollars.

For the commissioners of survey, &c. for the loss of effects on board the revenue cutters wrecked, &c.

For carrying on the surveys of public lands in the state of Ohio, and in the several territories, seventy-three thousand one hundred and eighty dollars.

For carrying on surveys of lands in Ohio, &c.

For expenses of intercourse with foreign nations, thirty-three thousand and fifty dollars.

For intercourse with foreign nations.

For contingent expenses of intercourse with foreign nations, twenty thousand dollars.

For contingent expenses of foreign intercourse.

For expenses of intercourse with the Barbary powers, fifty thousand dollars.

For intercourse with the Barbary powers.

For contingent expenses of intercourse with the Barbary powers, fifty thousand dollars.

For the relief and protection of distressed American seamen, five thousand dollars.

For the relief, &c. of distressed American seamen.

For the salaries of the agents at London, Paris, and Madrid, for prosecuting claims in relation to captures, six thousand dollars.

For salaries of agents at London, &c. for prosecuting claims, &c.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, and which are of a nature, according to the usage thereof, to require payment in specie, four thousand dollars.

For miscellaneous claims, &c. admitted at the treasury, &c.

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The preceding appropriations to be paid out of the fund reserved, and out of moneys in the treasury, &c.  
[\* See chap. 61, vol. 2.]

**SECT. 2.** *And be it further enacted,* That the several appropriations heretofore made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by an act making provision for the debt of the United States,\* and out of any moneys in the treasury, not otherwise appropriated.

[Approved, March 3, 1807.]

**CHAP. 85. [LXXV.]** An act repealing the acts laying duties on salt, and continuing in force for a further time the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the thirtieth day of June next, the act, entitled "An act laying an additional duty on salt imported into the United States, and for other purposes,"† passed the eighth day of July, one thousand seven hundred and ninety-seven, shall be, and the same hereby is, repealed; and that, from and after the thirty-first day of December next, so much of any act as lays a duty on imported salt be, and the same hereby is, repealed; and, from and after the day last aforesaid, salt shall be imported into the United States free of duty: *Provided,* That, for the recovery and receipt of such duties as shall have accrued, and, on the days aforesaid, respectively, remain outstanding, and for the recovery and distribution of fines, penalties, and forfeitures, and the remission thereof, which shall have been incurred before and on the said days, respectively, the provisions of the aforesaid acts shall remain in full force and virtue.

**SECT. 2.** *And be it further enacted,* That, from and after the first day of January next, so much of any act as allows a bounty on exported salt provisions and pickled fish, in lieu of drawback of the duties on the salt employed in curing the same, and so much of any act as makes allowance to the owners and crews of fishing vessels, in lieu of drawback of the duties paid on the salt used by the same, shall be, and the same hereby is, repealed: *Provided,* That the provisions of the aforesaid acts shall remain in full force and virtue for the payment of the bounties or allowances incurred or payable on the first day of January next.

**SECT. 3.** *And be it further enacted,* That so much of the act, passed on the twenty-fifth day of March, one thousand eight hundred and four, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers,"‡ as is contained in the first section of the said act, be, and the same hereby is, continued in force until the first day of January next, and no longer: *Provided, however,* That the additional duty laid by the said section shall be collected on all such goods, wares, and merchandise, liable to pay the same, as shall have been imported previous to that day.§ [Approved, March 3, 1807.]

After the 30th of June, 1807, the act laying an additional duty on imported salt, &c. repealed. [† Chap. 15, vol. 2.]

After the 31st Dec. 1807, any act laying a duty on imported salt, repealed. Salt to be imported free of duty. *Provided,* the provisions of the act referred to, to remain in force for the recovery, &c. of duties accrued, of fines, &c.

After the 1st Jan. 1808, so much of any act as allows bounty on exported salt provisions, &c. in lieu of drawback, &c. repealed.

*Provided,* the provisions of the acts referred to, to remain in force, &c. for payment of bounties, &c. The 1st sec. of the act to protect the commerce and seamen of the United States against the Barbary powers, continued until the 1st of Jan. 1808.

[† Chap. 399, vol. 3.]

*Provided,* the additional duty, &c. to be collected on goods, &c. imported previous to that day.

[‡ Obsolete. Further continued. See ch. 116, post.]

CHAP. 86. [LXXVI.] An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants.

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SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* any officer or soldier of the Virginia line, on continental establishment, or his legal representatives, to whom a land warrant has issued by virtue of any resolution of the legislature of Virginia, as a bounty for services which, by the laws of Virginia, passed prior to the cession of the Northwestern territory to the United States, entitled such officer or soldier to bounty lands, shall, if the said warrant has been, or shall be, located within three years from the twenty-third of March next, and a survey thereof has been, or shall be, within five years from the said twenty-third of March next, returned to the office of the secretary of war, obtain a patent for the same, in the same manner, and on the same conditions, as patents are obtained for lands located and surveyed on other warrants of the officers and soldiers of the Virginia line on continental establishment: \* *Provided, That* no patent shall be obtained on such resolution warrant, unless there is produced to the secretary of war satisfactory evidence that such warrant was granted for services which, by the laws of Virginia, passed prior to the cession of the Northwestern territory, would have entitled such officer or soldier, his heirs, or assigns, to bounty lands, and also a certificate of the register of the land office of Virginia, that no other warrant has issued from the said land office for the same services.

Officers or soldiers of the Virginia line on continental establishment, &c. to whom land warrants have issued by virtue of any resolution of the legislature of Virginia, &c. if they are located within three years from the 23d of March, 1806, and a survey returned, &c. to obtain a patent, &c.

[\* Sec act of 16th March, 1816; chap. 186, post.]  
 Proviso; no patent to be obtained on a resolution warrant, unless evidence is produced, &c. and a certificate, &c.

SECT. 2. *And be it further enacted, That* no patent shall be issued, by virtue of the preceding section, for a greater quantity of land than the rank or term of service of the officer or soldier to whom, or to whose legal representatives, such resolution warrant has been granted, would have entitled him to under the aforesaid laws of Virginia; and, whenever it appears to the secretary of war, that the survey or surveys, made by virtue of any resolution warrant, is for a greater quantity of land than the officer or soldier is entitled to for his services, the secretary of war shall certify, on the said survey or surveys, the amount of such surplus quantity, and the officer or soldier, his heirs, or assigns, shall have leave to withdraw his survey from the office of the secretary of war, and resurvey his location, excluding such surplus quantity, in one body, from any part of his resurvey, and a patent shall issue upon such resurvey as in other cases.

No patent to issue by virtue of the preceding section, for a greater quantity of land than the rank, or term of service, would entitle, &c. Whenever it appears to the secretary of war that the survey, &c. is for a greater quantity of land than the officer or soldier is entitled to, &c. the secretary is to certify the surplus, and the officer, &c. may withdraw and resurvey, &c.

[Approved, March 3, 1807.]

CHAP. 87. [LXXVII.] An act making compensation to Messrs. Lewis and Clarke, and their companions.†

[† Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the secretary of war be, and he is hereby, directed to issue land warrants to Meriwether Lewis and William Clarke, for one thou-

The secretary of war to issue land warrants to M.

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Lewis and W. Clarke, for 1,000 acres each. To John Ordway, &c. for 800 acres each.

The warrants may be located with any register, &c. on any of the public lands on the west side of the Mississippi, &c. or be received at the rate of 3 dolls. per acre, &c.

Double pay allowed to each of the persons named, &c.

11,000 dolls. appropriated, &c.

sand six hundred acres each; to John Ordway, Nathaniel Prior, the heirs or legal representatives of Charles Floyd, (deceased) Patrick Gass, William Bratton, John Collins, John Colter, Pier Cruzatte, Joseph Field, Reuben Field, Robert Frasier, Silas Goodrich, George Gibson, Thomas P. Howard, Hugh Hall, Francis Labuiche, Hugh McNeal, John Shields, George Shannon, John Potts, John Baptiste Le Page, John B. Thompson, William Werner, Richard Windsor, Peter Wiser, Alexander Willard, Joseph Whitehouse, George Drulyard, Tousaint Charbono, Richard Worfengton, and John Newman, for three hundred and twenty acres each: which several warrants may, at the option of the holder or possessor, be located with any register or registers of the land offices, subsequent to the public sales in such office, on any of the public lands of the United States, lying on the west side of the Mississippi, then and there offered for sale, or may be received at the rate of two dollars per acre, in payment of any such public lands.

SECT. 2. *And be it further enacted*, That double pay shall be allowed, by the secretary of war, to each of the beforenamed persons, agreeably to the time he or they may have served in the late enterprise to the Pacific ocean, conducted by Messrs. Lewis and Clarke; and that the sum of eleven thousand dollars be, and the same hereby is, appropriated to discharge the same, out of any moneys in the treasury, not otherwise appropriated.

[Approved, March 3, 1807.]

[\* Private and obsolete.]

CHAP. 88. [LXXVIII.] An act for the relief of Daniel S. Dexter.\*

Daniel S. Dexter to be discharged from imprisonment, &c. Proviso: D. S. Dexter first to assign and convey all his estate, &c. for the use and benefit of the United States, &c. Proviso: the judgment to remain in force against any future state, &c. Nothing in this act to discharge the late supervisor of the district of Rhode Island from any legal liability for not taking bonds, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That Daniel S. Dexter, of Providence, and state of Rhode Island, be discharged from his imprisonment upon a judgment obtained against him in favor of the United States: *Provided, however*, That he shall first assign and convey all the estate, real and personal, which he may now own, or be entitled to, to some person or persons, for the use and benefit of the United States, under the direction of the secretary of the treasury: *Provided also*, That the said judgment shall remain in full force against any estate which the said Daniel S. Dexter may hereafter acquire; and that process may at any time be thereon issued against the same: *And provided*, That nothing contained in this act shall be construed to discharge the late supervisor of the district of Rhode Island from any legal liability for not taking bonds of the said Dexter, for the faithful discharge of his duty.

[Approved, March 3, 1807.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That all the decisions made by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Detroit, in favor of such claimants, as entered in the transcript of decisions which have been transmitted by the said commissioners to the secretary of the treasury, according to law, be, and the same are hereby, confirmed.

All the decisions made by the commissioners for examining claims to lands in the district of Detroit, &c. in favor of claimants, entered in the transcript of decisions, &c. confirmed.

**SECT. 2.** *And be it further enacted,* That, to every person or persons in the actual possession, occupancy, and improvement, of any tract or parcel of land, in his, her, or their own right, at the time of the passing of this act, within that part of the territory of Michigan to which the Indian title has been extinguished, and which said tract or parcel of land was settled, occupied, and improved, by him, her, or them, prior to, and on, the first day of July, one thousand seven hundred and ninety-six, or by some other person or persons, under whom he, she, or they, hold or claim the right to the occupancy or possession thereof, and which said occupancy or possession has been continued to the time of the passing of this act, the said tract or parcel of land thus possessed, occupied, and improved, shall be granted, and such occupant or occupants shall be confirmed in the title to the same, as an estate of inheritance in fee simple: *Provided, however,* That no other claims shall be confirmed, by virtue of this section, than such as have been entered with the register of the land office of Detroit, within the time, and in the manner, provided by law, and, by the commissioners aforesaid, have been inserted in their report, transmitted as aforesaid; nor shall more than one tract or parcel of land be thus granted to any one person, and the same shall not contain more than the quantity claimed, nor more than six hundred and forty acres: *And provided, also,* That the same shall not extend to any tract heretofore reserved, or which may, by the president of the United States, be set aside for public uses, in the town of Detroit, and its vicinity, or on the island of Michilimackinac.

Persons in actual possession, &c. of any tract of land, in their own right, &c. and which was settled, improved, &c. prior to, and on, the 1st of July, 1796, &c. and the occupancy of which continued to the 3d March, 1807, to be confirmed in their titles, &c.

Provido; no other claims to be confirmed by this section, than such as have been entered with the register, &c.

Not more than one tract to any one person, &c.

Provido; the grant not to extend to any tract reserved, &c.

**SECT. 3.** *And be it further enacted,* That the secretary of the territory of Michigan, together with the register and receiver of public moneys of the land office of Detroit, shall be commissioners for the purpose of ascertaining and deciding on the rights of persons claiming the benefit of this act: and the said commissioners shall, previous to entering on the duties of their appointment, respectively, take and subscribe the following oath or affirmation, before some person qualified to administer the same:

The secretary of Michigan, and the register and receiver, &c. at Detroit, to be commissioners for deciding on the rights of persons claiming, &c. The commissioners to take an oath, &c.

*I, do solemnly swear (or affirm) that I will impartially exercise and discharge the duties imposed upon me, by an act of congress, entitled "An act regulating the grants of land in the territory of Michigan."* And it shall be the duty of the said commissioners to meet at the town of Detroit, on or before the first day of July next, and they shall not adjourn to any other place, or for any longer time than three days, until the first day

Form of the oath.

The commissioners to meet at Detroit, on or before the 1st of July, 1807, and not to adjourn for more than



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three days, &c. until they have completed the business. The commissioners empowered to hear and decide in a summary manner, compel witnesses, administer oaths, &c. Minutes of proceedings, &c. to be entered by the register in a book, &c.

When it appears to the commissioners that the claimant is entitled to a tract, &c. they are to give a certificate, stating the circumstances, &c. The tract to be surveyed, &c. at the expense of the party, &c.

The whole expense of surveying, &c. not to exceed 3 dollars for every mile, &c. The surveyor general to transmit to the register at Detroit, general and particular plots, &c.

The commissioners to transmit to the secretary of the treasury a transcript of their decisions, &c. containing a fair statement, &c.

The certificate granted by the commissioners, being duly entered, &c. to entitle the party to a certificate from the register, who is to receive a dollar for each, &c. a patent to issue, &c.

The powers vested by this act, &c. not to extend to lots in the town of Detroit, the claims

of January next, or until they shall have completed the business of their appointment. And the said commissioners, or a majority of them, shall have power to hear and decide, in a summary manner, all matters respecting such claims, to compel the attendance of witnesses, to administer oaths and examine witnesses, and such other testimony as may be adduced, and to determine thereon according to justice and equity. Minutes of the proceedings, decisions, meetings, and adjournments, of the board, shall be regularly entered by the register, in a book to be kept for that purpose, together with the evidence on which such decisions are made, unless such evidence has already been entered according to law, in the book or books of minutes kept by the commissioners, appointed under former acts, to investigate the claims to land in the district of Detroit. And when it shall appear to the said commissioners that the claimant is entitled to a tract of land by virtue of this act, they shall give a certificate thereof, stating the circumstances of the case, and that the claimant is entitled to receive a patent for such a tract of land, by virtue of this act; which tract shall be surveyed in conformity with the decision of the commissioners, at the expense of the party, and under the direction of the surveyor general, by such of his assistants, residing in the territory of Michigan, as the said surveyor general shall appoint for that purpose: *Provided*, That the whole expense of surveying and marking the lines shall not exceed three dollars for every mile that shall be actually run, surveyed, or marked. The surveyor general shall transmit, to the register of the land office at Detroit, general and particular plots of all the lands surveyed as aforesaid, and shall also forward copies of the said plots to the secretary of the treasury. The commissioners shall transmit to the secretary of the treasury a transcript of their decisions in favor of claimants, which shall contain a fair statement of the evidence on which each respective claim is founded, and shall be signed by the said commissioners, and shall state the names of the parties in whose favor the certificates have been granted, the number of acres granted, and the situation of the land. And the certificate and certificates granted, as aforesaid, by the commissioners, being duly entered with the register of the land office of Detroit, prior to the first day of January, one thousand eight hundred and nine, shall entitle the party or parties, as soon as the plot or plots aforesaid shall have been transmitted to the said register, to receive from him a certificate or certificates, for each of which certificates the register shall receive one dollar, directed to the secretary of the treasury; and if it shall appear to the satisfaction of the said secretary, that such certificates have been fairly obtained, according to the true intent and meaning of this act, then, and in that case, patents shall issue, in like manner as is provided by law for the other lands of the United States.

SECT. 4. *And be it further enacted*, That the powers vested by this act in the commissioners abovementioned, shall not extend to lots in the town of Detroit, the claims to which shall be ascertained and decided upon in the manner provided by the act,

entitled "An act to provide for the adjustment of titles of land in the town of Detroit, and territory of Michigan, and for other purposes."\*

SECT. 5. *And be it further enacted*, That the secretary of the territory of Michigan shall be entitled to receive five hundred dollars, in full for all the services rendered by him under this act, to be paid out of the sums which have been, or may be, appropriated for carrying into effect the several laws enacted for the disposal of public lands, and for the adjustment of claims in the Indiana or Michigan territories. [*Approved, March 3, 1807.*]

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to which have been decided upon in the manner prescribed by the act mentioned.  
[\* Ante, ch. 43.]  
The secretary to receive 500 dollars, in full for services rendered under this act, &c.

CHAP. 90. [LXXX.] An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians; and to establish a land office in the Mississippi territory.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for the purpose of carrying into effect a treaty, made on the twenty-third day of July, one thousand eight hundred and five, between the United States and the Chickasaw nation of Indians,† the following sums, to be paid out of any moneys in the treasury, not otherwise appropriated, be, and the same hereby are, appropriated, in conformity with the stipulations contained in the said treaty; that is to say: to the said Chickasaw nation, twenty thousand dollars; to George Colbert and O'Koy, each, one thousand dollars; and to Chinubbe Mingo, chief of the nation, an annuity of one hundred dollars, during his natural life.

Sums appropriated for carrying into effect a treaty with the Chickasaws, &c.  
[† See the treaty, page 356, vol. I.]

SECT. 2. *And be it further enacted*, That it shall be the duty of the surveyor general of the public lands south of Tennessee, to cause to be surveyed and laid out, in the same manner as is provided by law for the other public lands in the Mississippi territory, so much of the lands ceded to the United States by the Cherokees and Chickasaws, as lies within the said territory; and the president of the United States is hereby authorized, whenever he shall think it proper, to establish a land office for the sale of the said lands, and to appoint a register of the same, and a receiver of the public moneys accruing from the sale of the said lands, whose respective emoluments and duties shall be the same as those of the registers and receivers of the other land offices in the said territory.‡ [*Approved, March 3, 1807.*]

The surveyor general of the public lands south of Tennessee to cause to be surveyed, &c. so much of the lands ceded by the Cherokees and Chickasaws as lies within the Mississippi territory, &c. The president authorized to establish a land office, appoint a register and receiver, &c.

[† See act of 15th June, 1809; ch. 212, post.]

CHAP. 91. [LXXXI.] An act respecting claims to land in the territories of Orleans and Louisiana.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That so much of the first section of the act, entitled "An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana,"§ as provides that no incomplete title shall be confirmed unless the person, in

So much of the 1st sec. of the act mentioned, as provides that no incomplete title shall be confirmed unless the person, &c. was, &c. the head of a family, &c. repealed.  
[§ Ch. 440, vol. 3.]

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Persons, &c. who, on the 20th of Dec. 1803, had, for ten years before that day, been in possession of a tract not claimed, &c. not exceeding 2,000 acres, &c. and had still possession, to be confirmed in their titles.

Provido; no claim to a lead mine or salt spring to be confirmed by this section.

No more land granted by this section than is actually claimed, &c.

The claim of the corporation of New Orleans to the commons adjacent, &c. confirmed.

Provido; the corporation, within 6 months, to release claim to the commons beyond 600 yards.

[\* Sec. sec. 11, chap. 383, post.]  
Provido; the corporation to convey, gratuitously, for public benefit, as much of the commons as may be necessary to continue the canal of Carondelet to the Mississippi, &c.

Nothing herein to impair the rights of individuals to the commons, &c.

The commissioners for ascertaining the rights of persons claiming land in the territories of Orleans and Louisiana, empowered to decide according to the usages and customs of the French and Spanish governments, where the claim is made by persons who were inhabitants, &c. and for not exceeding a league square, &c.

whose name the warrant or order of survey had been granted, was, at the time of its date, either the head of a family, or above the age of twenty-one years, be, and the same is hereby, repealed.

SECT. 2. *And be it further enacted*, That any person or persons, and the legal representative of any person or persons, who, on the twentieth day of December, one thousand eight hundred and three, had, for ten consecutive years prior to that day, been in possession of a tract of land not claimed by any other person, and not exceeding two thousand acres, and who were, on that day, resident in the territory of Orleans or Louisiana, and had still possession of such tract of land, shall be confirmed in their titles to such tract of land: *Provided*, That no claim to a lead mine, or salt spring, shall be confirmed merely by virtue of this section: *And provided, also*, That no more land shall be granted by virtue of this section than is actually claimed by the party, nor more than is contained within the acknowledged and ascertained boundaries of the tract claimed.

SECT. 3. *And be it further enacted*, That the claim of the corporation of the city of New Orleans to the commons adjacent to the said city, and within six hundred yards from the fortifications of the same, be, and the same are hereby, recognised and confirmed: *Provided*, That the said corporation shall, within six months after passing this act, relinquish and release any claim they may have to such commons beyond the distance of six hundred yards aforesaid: \* *Provided also*, That the corporation shall reserve for the purpose, and convey gratuitously, for the public benefit, to the company authorized by the legislature of the territory of Orleans, as much of the said commons as shall be necessary to continue the canal of Carondelet from the present basin to the Mississippi, and shall not dispose of, for the purpose of building thereon, any lot within sixty feet of the space reserved for a canal, which shall forever remain open as a public highway: *And provided also*, That nothing herein contained shall be construed to affect or impair the rights of any individual or individuals to the said commons, which are derived from any grant of the French or Spanish government.

SECT. 4. *And be it further enacted*, That the commissioners appointed, or to be appointed, for the purpose of ascertaining the rights of persons claiming land in the territories of Orleans and Louisiana, shall have full powers to decide, according to the laws and established usages and customs of the French and Spanish governments, upon all claims to lands within their respective districts, where the claim is made by any person or persons, or the legal representative of any person or persons, who were, on the twentieth of December, one thousand eight hundred and three, inhabitants of Louisiana, and for a tract not exceeding the quantity of acres contained in a league square, and which does not include either a lead mine or salt spring; which decision of the commissioners, when in favor of the claimant, shall be final against the United States, any act of congress to the contrary notwithstanding.

**SECT. 5.** *And be it further enacted,* That the time fixed by **1807.**

the act abovementioned, and by the acts supplementary to the same, for delivering, to the proper register or recorder, notices in writing, and the written evidences of claims to land, be, and the same is hereby, extended, for the territories of Orleans and Louisiana, till the first day of July, one thousand eight hundred and eight; and persons delivering such notices and evidences shall be entitled to the same benefit as if the same had been delivered within the time limited by the former acts; but the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from or founded on any act of congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of law or equity whatever.\*

The time fixed by the act referred to, &c. for delivering notices in writing, &c. extended, for the territories of Orleans and Louisiana, until the 1st July, 1808. The rights of persons neglecting to deliver notices, &c. within the time limited, &c. become void, &c. [\* See chapters 361, 381, and seq. 7, ch. 422, post.]

**SECT. 6.** *And be it further enacted,* That the commissioners appointed, or to be appointed, for the purpose of ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana, shall, respectively, transmit to the secretary of the treasury, and to the surveyor general, or officer acting as surveyor general, transcripts of the final decisions made in favor of claimants by virtue of this act, and they shall deliver to the party a certificate stating the circumstances of the case, and that he is entitled to a patent for a tract of land therein designated; which certificate shall be filed, with the proper register or recorder, within twelve months after date. And the register or recorder shall thereupon (a plat of the tract of land therein designated being previously filed with him, or transmitted to him, by the officer acting as surveyor general, in the manner hereinafter provided,) issue a certificate in favor of the party; which certificate, being transmitted to the secretary of the treasury, shall entitle the party to a patent, to be issued in like manner as is provided by law for the issuing of patents for public lands lying in other territories of the United States.

The commissioners for ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana, to transmit, to the secretary of the treasury and surveyor general, transcripts of final decisions, &c. deliver to the party a certificate, &c. which is to be filed, &c. The register or recorder, &c. to issue a certificate in favor of the party, &c. a patent to issue, &c.

**SECT. 7.** *And be it further enacted,* That the tracts of land thus granted by the commissioners shall be surveyed at the expense of the parties, under the direction of the surveyor general, or officer acting as surveyor general, in all cases where an authenticated plat of the land, as surveyed under the authority of the officer acting as surveyor general under the French, Spanish, or American governments, respectively, during the time either of the said governments had the actual possession of the said territories of Orleans and Louisiana, shall not have been filed with the proper register or recorder, or shall not appear of record on the public records of the said territories of Orleans and Louisiana. The said commissioners shall also be authorized, whenever they may think it necessary, to direct the surveyor general, or officer acting as such, to cause any tract of land already duly surveyed, to be resurveyed at the expense of the United States. And the surveyor general, or officer acting as such, shall transmit general and particular plats of the tracts of land thus surveyed, to the proper register or recorder, and shall also transmit copies of the said plats to the secretary of the treasury.

The tracts of land granted by the commissioners to be surveyed at the expense of the parties, under the direction of the surveyor general, in all cases where, &c.

The commissioners may direct the surveyor general, &c. to cause any tract of land to be resurveyed at the expense of the United States. The surveyor general, &c. to transmit general and particular plats to the proper register, &c.



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The commissioners to report to the secretary of the treasury their opinion on all claims to land within their districts not finally confirmed, &c. The claims, &c. to be arranged into three general classes, &c.

SECT. 8. *And be it further enacted,* That the commissioners aforesaid shall, respectively, report to the secretary of the treasury their opinion on all the claims to land within their respective districts, which they shall not have finally confirmed by the fourth section of this act. The claims shall, in the said report or reports, be arranged into three general classes, that is to say: first, claims which, in the opinions of the commissioners, ought to be confirmed in conformity with the provisions of the several acts of congress for ascertaining and adjusting the titles and claims to land within the territories of Orleans and Louisiana; secondly, claims which, though not embraced by the provisions of the said acts, ought, nevertheless, in the opinion of the commissioners, to be confirmed in conformity with the laws, usages, and customs, of the Spanish government; thirdly, claims which neither are embraced by the provisions of the said acts, nor ought, in the opinion of the commissioners, to be confirmed in conformity with the laws, usages, and customs, of the Spanish government: And the said report and reports, being in other respects made in conformity with the forms prescribed according to law, by the secretary of the treasury, shall, by him, be laid before congress, for their final determination thereon, in the manner, and at the time, heretofore prescribed by law for that purpose.

The reports, &c. to be laid before congress for their final determination, &c.

Allowances, &c. to the officers mentioned, &c.

SECT. 9. *And be it further enacted,* That the following allowances and compensations shall be made to the several officers hereinafter mentioned; that is to say: to the principal deputy of the surveyor general, for the district of Louisiana, at the rate of five hundred dollars a year, from the time he entered into the duties of his office, in addition to the fees which he is entitled to receive by law. To the register of the western district of the Orleans territory, and to the clerk of the board of commissioners for that district, one thousand dollars, each, for their services as commissioners and clerk, respectively, during the year one thousand eight hundred and six. To each of the deputy registers of the territory of Orleans, five hundred dollars, in full for their services subsequent to the first day of January last, in addition to the fees to which they are legally entitled. To each of the commissioners, at the rate of two thousand dollars a year: to each of the clerks of the boards, and to each of the agents employed by the secretary of the treasury, at the rate of fifteen hundred dollars a year, and to each of the translators, at the rate of six hundred dollars a year, to commence from the first day of July next, in the district of Louisiana, and from the first day of January next, in the territory of Orleans, and to continue to the time when each board shall be respectively dissolved: *Provided,* That no more than eighteen months' compensation be thus allowed to the said commissioners, clerks, and translators; and that the compensation of any such officer, absenting himself from his district, or failing to attend to the duties of his office, shall cease during such absence or failure.

Provided; not more than 18 months' compensation to be allowed to commissioners, clerks, and translators, &c.

[Approved, March 3, 1807.]

CHAP. 92. [LXXXII.] An act making further appropriations for fortifying the ports and harbors of the United States.\*

1807.

[Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* a sum of money, not exceeding one hundred and fifty thousand dollars, in addition to the sums heretofore appropriated, be, and the same is hereby, appropriated, to enable the president of the United States to cause the ports and harbors of the United States to be better fortified and protected.

Not exceeding 150,000 dollars. Additional appropriation to enable the president to cause the ports and harbors of the United States to be better fortified, &c.

SECT. 2. *And be it further enacted, That* the money appropriated by this act, shall be paid out of any money in the treasury of the United States, not otherwise appropriated.

The sum to be paid out of unappropriated money, &c.

[Approved, March 3, 1807.]

CHAP. 93. [LXXXIII.] An act for the relief of John Chester.†

[† Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* on the settlement of the accounts of John Chester, former supervisor of the internal revenues and direct tax for the district of Connecticut, there be passed to his credit the sum of three hundred seventeen dollars and ninety cents, being the amount of the direct tax, assessed and collected in the state of Connecticut, beyond the quota of said state: *Provided,* the said state assent thereto. And also, the further sum of two hundred thirty-three dollars and thirty-four cents, for the contingent expenses of the office, in addition to the provision heretofore made by law.

On settlement of the accounts of John Chester, former supervisor, &c. \$17 dollars, 90 cents to be passed to his credit, being the amount of direct tax collected in Connecticut beyond the quota; provided, &c. And \$23 dollars, 34 cents for contingent expenses, &c.

[Approved, March 3, 1807.]

CHAP. 94. [LXXXIV.] An act authorizing the employment of the land and naval forces of the United States, in cases of insurrections.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* in all cases of insurrection, or obstruction to the laws, either of the United States, or of any individual state or territory, where it is lawful for the president of the United States to call forth the militia for the purpose of suppressing such insurrection, or of causing the laws to be duly executed, it shall be lawful for him to employ, for the same purposes, such part of the land or naval force of the United States as shall be judged necessary, having first observed all the prerequisites of the law in that respect.

In all cases of insurrection, or obstruction of the laws, &c. where it is lawful for the president to call forth the militia, &c. he is authorized to employ the land or naval force, for suppressing or enforcing, &c.

[Approved, March 3, 1807.]

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CHAP. 95. [LXXXV.] An act in addition to an act, entitled "An act in addition to an act, entitled "An act supplementary to the act providing for a naval peace establishment, and for other purposes."

[\* See orig. act, of 21st April, 1806; ante, chap. 37.]

The president authorized to employ not exceeding 500 seamen and boys, additional, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized, in addition to the present naval peace establishment, to employ a number of able seamen, ordinary seamen, and boys, not exceeding five hundred, should the exigency of the public service require the same. [Approved, March 3, 1807.]

CHAP. 96. [LXXXVI.] An act making appropriations for carrying into effect certain treaties with the Cherokee and Piankeshaw tribes of Indians.

Sums appropriated for carrying into effect a convention with the Cherokees. [† See the convention, page 336, vol. 1.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for carrying into effect a convention between the United States and the Cherokee nation of Indians,† the following sums, to be paid out of any moneys in the treasury, not otherwise appropriated, be, and the same hereby are, appropriated; that is to say: to the said Cherokee nation, two thousand dollars, and the further annual sum of two thousand dollars for four years successively; and to the Cherokee chief, called the Black Fox, the annual sum of one hundred dollars, during his natural life.

Sums appropriated for carrying into effect a treaty with the Piankeshaws, &c. [† See the treaty, page 349, vol. 1.]

SECT. 2. *And be it further enacted,* That, for carrying into effect a treaty between the United States and the Piankeshaw tribe of Indians, concluded at Vincennes, on the thirtieth day of December, one thousand eight hundred and five,‡ there shall be, and hereby are, appropriated, in addition to appropriations for carrying into effect former treaties, a sum of one thousand dollars, and a further annual sum of three hundred dollars, to be paid out of any moneys in the treasury, not otherwise appropriated. [Approved, March 3, 1807.]

[§ Private and obsolete.]

CHAP. 97. [LXXXVII.] An act authorizing the discharge of Gilbert Drake from his imprisonment. §

The marshal of New York to discharge Gilbert Drake, late collector of the direct tax, from his imprisonment, &c. *Provided,* Gilbert Drake to take so much of the oath referred to as relates to his not having transferred his property, &c.

[† Ch. 168, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the marshal of the district of New York be authorized and directed to discharge Gilbert Drake, late collector of the direct tax, in said district, from his imprisonment, upon a warrant of distress issued against him by the supervisor of said district: *Provided,* That he take, before any judge of the United States, or any judge of the supreme court of the state of New York, or court of common pleas of the county in which he is imprisoned, so much of an oath, imposed upon persons imprisoned for debt, by the second section of the act, entitled "An act for the relief of persons imprisoned for debt,"|| as relates to his not having transferred his property with intent to defraud the United States:

*And provided, That he shall assign and convey all the estate, real and personal, which he may own, or be entitled to, to some person for the use and benefit of the United States, under the direction of the secretary of the treasury: Provided also, That any estate, real or personal, which the said Gilbert Drake may hereafter acquire, shall be liable to be taken and sold, in the same manner as if he had never been imprisoned and discharged as aforesaid. [Approved, March 3, 1807.]*

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Proviso; Gilbert Drake to convey all his estate for the benefit of the United States, &c. Proviso; future estate to be liable, &c.

CHAP. 98. [LXXXVIII.] An act to establish certain post roads; and for other purposes.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the following post roads be established:*

*In Orleans.* From New Orleans to the Balize, and from New Orleans, by the mouth of the Fourche, mouth of the canal of Attakapas, Lake Veret, the ferry of Lake Veret, the mouth of Teche, the church of Attakapas, and the church of Appelousas, to Rapides. And the postmaster general be, and he is hereby, authorized to allow and pay to the postmaster which may be appointed at the Balize, in addition to the legal fees of office, such sum as he may judge reasonable, not exceeding four hundred dollars per annum, as a compensation for his services.

\* Repealed in part, and supplied by act of 25th April, 1810; chap. 255, post. and by act of 30th April, 1810; chap. 259, post.] The post roads mentioned established.

The postmaster general to allow additional compensation to the postmaster at the Balize, &c.

SECT. 2. *And be it further enacted, That the president of the United States is hereby authorized to cause to be opened a road from the thirty-first degree of north latitude to New Orleans, on the route from Athens to New Orleans, under such regulations as may be agreed upon for that purpose between the executive of the United States and the Spanish government: And he is hereby authorized to expend, in opening the same, any part of the money heretofore appropriated for opening a road on the said route, from the frontier of Georgia to the thirty-first degree of north latitude, which remains unexpended.*

The president authorized to cause a road to be opened from the 31st degree of north lat. to New Orleans, &c.

The president authorized to expend, in opening the road, any part of the money heretofore appropriated, &c.

[Approved, March 3, 1807.]

CHAP. 99. [LXXXIX.] An act disapproving of an act passed by the governor and judges of the territory of Michigan, entitled "An act concerning the bank of Detroit."†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That an act, entitled "An act concerning the bank of Detroit," adopted and published by the governor and judges of the territory of Michigan, on the nineteenth day of September, in the year of our Lord one thousand eight hundred and six, is hereby disapproved of by congress, and that the same shall be of no force or effect. [Approved, March 3, 1807.]*

† See the ordinance of 13th July, 1787; page 476, vol. I.]

An act concerning the bank of Detroit, adopted, &c. by the governor and judges of Michigan, &c. disapproved of by congress, &c.



1807. CHAP. 100. [XC.] An act making compensation for extra services, to the governor, judges, and secretary, of the Indiana territory.<sup>a</sup>  
 [Obsolote.]

The secretary of the treasury directed to pay to the governor, judges, and secretary, of Indiana, out of the treasury, 300 dollars, each, for the extra services they performed in obedience to the act erecting Louisiana into two territories.  
 [† Chap. 391, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he hereby is, directed to pay to the governor, judges, and secretary, of the Indiana territory, out of any money in the treasury, not otherwise appropriated, the sum of three hundred dollars, each, as a compensation for the extra services by them performed, in obedience to the act, entitled "An act erecting Louisiana into two territories, and providing for the temporary government thereof."<sup>†</sup>

[Approved, March 3, 1807.]

CHAP. 101. [XCI.] An act to prevent settlements being made on lands ceded to the United States, until authorized by law.

Persons taking possession of, or making settlements on, any lands ceded or secured to the United States, &c. not previously sold, &c. or the claim to which has not been recognised, &c. or if any persons cause such lands to be occupied, survey, &c. until authorised by law, they forfeit their right, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That if any person or persons shall, after the passing of this act, take possession of, or make a settlement on, any lands ceded or secured to the United States, by any treaty made with a foreign nation, or by a cession from any state to the United States, which lands shall not have been previously sold, ceded, or leased, by the United States, or the claim to which lands, by such person or persons, shall not have been previously recognised and confirmed by the United States: or if any person or persons shall cause such lands to be thus occupied, taken possession of, or settled; or shall survey or attempt to survey, or cause to be surveyed, any such lands; or designate any boundaries thereon, by marking trees, or otherwise, until thereto duly authorized by law; such offender or offenders shall forfeit all his or their right, title, and claim, if any he hath, or they have, of whatsoever nature or kind the same shall or may be, to the lands aforesaid, which he or they shall have taken possession of, or settled, or cause to be occupied, taken possession of, or settled, or which he or they shall have surveyed, or attempt to survey, or cause to be surveyed, or the boundaries thereof he or they shall have designated, or cause to be designated, by marking trees or otherwise. And it shall moreover be lawful for the president of the United States to direct the marshal, or officer acting as marshal, in the manner hereinafter directed, and also to take such other measures, and to employ such military force as he may judge necessary and proper, to remove from lands ceded, or secured to the United States, by treaty or cession as aforesaid, any person or persons who shall hereafter take possession of the same, or make, or attempt to make, a settlement thereon, until thereunto authorized by law. And every right, title, or claim, forfeited under this act, shall be taken and deemed to be vested in the United States, without any other or further proceedings: *Provided,* That nothing herein contained shall be construed to affect the right, title, or claim, of any person to lands in the territories of Orleans or Louisiana, before the boards of commissioners esta-

The president may direct the marshal, and employ the military force, to remove persons unlawfully taking possession of lands, &c.

Every right, &c. forfeited, vested in the United States, &c. *Provided,* nothing herein to affect the right, &c. of any person to lands in the territories of Orleans or Louisi-

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lished by the act, entitled "An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana,"\* shall have made their reports, and the decision of congress been had thereon.

SECT. 2. *And be it further enacted*, That any person or persons who, before the passing of this act, had taken possession of, occupied, or made a settlement on, any lands ceded or secured to the United States, by any treaty made with a foreign nation, or by a cession from any state to the United States, which lands had not been previously sold, ceded, or leased, by the United States, or the claim to which lands had not been previously recognised and confirmed by the United States; and who, at the time of passing this act, does or do actually inhabit and reside on such lands, may, at any time prior to the first day of January next, apply to the proper register or recorder, as the case may be, of the land office established for the disposal, registering, or recording of such lands, or to such person or persons as may, by such registers or recorders, respectively, be appointed for the purpose of receiving such applications, stating the tract or tracts of land thus occupied, settled, and inhabited, by such applicant or applicants, and requesting permission to continue thereon; and it shall thereupon be lawful for such register or recorder, respectively, to permit, in conformity with such instructions as may be given by the secretary of the treasury, with the approbation of the president of the United States, for that purpose, such applicant or applicants to remain on such tract or tracts of land, not exceeding three hundred and twenty acres for each applicant, as tenants at will, on such terms and conditions as shall prevent any waste or damages on such lands, and on the express condition that such applicant or applicants shall, whenever such tract or tracts of land may be sold or ceded by the United States, or whenever, for any other cause, he or they may be required, under the authority of the United States, so to do, give quiet possession of such tract or tracts of land, to the purchaser or purchasers, or remove altogether from the land, as the case may be: *Provided, however*, That such permission shall not be granted to any such applicant, unless he shall previously sign a declaration, stating that he does not lay any claim to such tract or tracts of land, and that he does not occupy the same by virtue of any claim, or pretended claim, derived, or pretended to be derived, from any other person or persons: *And provided also*, That in all cases where the tract of land applied for includes either a lead mine or salt spring, no permission to work the same shall be granted, without the approbation of the president of the United States, who is hereby authorized to cause such mines or springs to be leased for a term not exceeding three years, and on such conditions as he shall think proper.

SECT. 3. *And be it further enacted*, That all the applications made, and provisions granted, by virtue of the last preceding section, shall be duly entered on books to be kept for that purpose, by the registers and recorders aforesaid, respectively; and they shall be entitled to receive from the party, for each application, **fifty cents, and for each permission, one dollar.**

siana before the commissioners report and congress decide, &c. [\*Chap. 440, vol. 3.]

Persons who, before the passing of this act, had taken possession, &c. of any lands secured to the United States, &c. and not previously sold, &c. and who actually inhabit, &c. may, prior to the 1st of Jan. 1808, apply to the register, &c. stating the tracts, &c. and requesting permission to continue thereon; whereupon the register, &c. is to permit the applicants to remain on such tracts, not exceeding 320 acres for each, &c. on condition, &c. that they will remove on being required, &c.

[† See chap. 114, post.] Proviso: permission not to be granted to applicants unless they sign a declaration that they do not lay claim, &c.

Proviso: where the tract includes a lead mine or salt spring, no permission to work them to be granted without the approbation of the president, &c.

Applications, &c. made by virtue of the preceding section to be duly entered on books, &c.

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The proper marshal, after the 1st of Jan. 1808, to remove persons found on lands, &c. who have not obtained permission, &c.  
 Proviso; three months' previous notice to be given to persons settled prior to passing this act. Persons found on the lands after the three months' notice, to incur a penalty of 100 dollars, and be liable to imprisonment, &c.

The certificate of the proper register, &c. to be sufficient evidence that the tract occupied had not been previously sold, &c.

Proviso; nothing in this section to apply to any person claiming lands in Orleans or Louisiana, whose claim has been filed before 1st Jan. 1808.

SECT. 4. *And be it further enacted*, That it shall be lawful, after the first day of January next, for the proper marshal, or officer acting as marshal, under such instructions as may, for that purpose, be given by the president of the United States, to remove from the lands aforesaid, any and every person or persons who shall be found on the same, and who shall not have obtained permission to remain thereon as aforesaid: *Provided*, That three months' previous notice shall be given to all such person or persons, as aforesaid, who were settled on such lands prior to the passing of this act. And every such person who shall, at any time after the expiration of three months after such notice shall have been given, be found on any part of the lands aforesaid, shall, moreover, incur a penalty of one hundred dollars, to be recovered in any court having jurisdiction of the same; and be, moreover, liable, on conviction, to imprisonment, at the discretion of the court, not exceeding six months; and the certificate of the proper register or recorder shall be a sufficient evidence that the tract of land which was occupied by the offender had not been previously sold, leased, or ceded by the United States, that the claim to such tract had not been recognised and confirmed by the United States, and that the person occupying the same, and removed, or to be removed, by the marshal, had not obtained permission to remain thereon, in conformity with the provisions of this act: *Provided always*, and it is further enacted, That nothing in this section contained shall be construed to apply to any person claiming lands in the territories of Orleans or Louisiana, whose claim shall have been filed with the proper commissioners before the first day of January next. [*Approved, March 3, 1807.*]

#### CHAP. 102. [XCII.] An act confirming claims to land in the district of Vincennes; and for other purposes.

The decisions made by the commissioners for examining claims to lands in the district of Vincennes, in favor of claimants, as entered in the transcripts of decisions, &c. confirmed.  
 The confirmations, &c. of land, by the governors of the Northwest and Indiana territories, prior to the establishment of the board of commissioners, &c. confirmed, unless, &c. although persons entitled may not have given notice.  
 [\* Chap. 101, vol. 2.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all the decisions made by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Vincennes, in favor of such claimants, as entered in the transcripts of decisions which have been transmitted by the said commissioners to the secretary of the treasury according to law, be, and the same are hereby, confirmed.

SECT. 2. *And be it further enacted*, That the confirmations or grants of land, made in the said district of Vincennes, by the governors of the Northwest and Indiana territories, prior to the establishment of the board of commissioners aforesaid, and in conformity with the act, entitled "An act for granting lands to the inhabitants and settlers at Vincennes and the Illinois country, in the territory northwest of the Ohio, and for confirming them in their possessions,"\* be, and the same are hereby, confirmed; unless when actually rejected by the said commissioners; although the persons entitled to the land may not have given notice of their

claim, as required by the several acts making provision for the disposal of the public lands in the Indiana territory: *Provided, however,* That no other claims shall be confirmed by virtue of this section than such as, having been entered on the territorial records, have, by the commissioners aforesaid, been inserted in their reports transmitted as aforesaid. 1807.

*Provided, no other claims confirmed by virtue of this section than such as, having been entered, &c. have been inserted in the reports, &c. The persons to whom, &c. the several tracts, &c. near Vincennes, &c. have been confirmed, &c. confirmed in their claims to the respective tracts in their possession, &c. lying in the tract of 244 acres, known by the name of "Continuation," &c.*

SECT. 3. *And be it further enacted,* That the several persons, or the legal representatives of the several persons, to whom, or to whose assigns, the several tracts of the tract of land near Vincennes, known by the name of the "Upper Praire," have been heretofore confirmed, be, and they are hereby, respectively, confirmed in their claims to the respective tracts also claimed by them, and in their actual possession, lying in that tract of land, containing two hundred and forty-four acres, which is known by the name of "Continuation," and is situated between the boundaries of the tracts already confirmed and the river Wabash.

*Persons whose claims are confirmed by this act, and not actually located, &c. authorized to enter their locations with the register at Vincennes, on any part of the tract set aside by the act mentioned, &c.*

SECT. 4. *And be it further enacted,* That the several persons whose claims are confirmed by this act, and had not been actually located prior to the establishment of the board of commissioners, be, and they are hereby, authorized to enter their locations with the register of the land office of Vincennes, on any part of the tracts set aside for that purpose by virtue of the act, entitled "An act respecting the claims to lands in the Indiana territory, and state of Ohio,"\* and in conformity with the provisions of that act: *Provided,* That such location shall be made prior to the first day of July, one thousand eight hundred and eight; and the right of any person who shall neglect to locate prior to that day, shall become void, and for ever be barred.

*[\* Ante, ch. 40.]*  
*Provided, the location to be made prior to the 1<sup>st</sup> of July, 1808, &c.*

SECT. 5. *And be it further enacted,* That every person, or the legal representative of every person, whose claim to a tract of land is confirmed by this act, and who had not previously obtained a patent for the same, from the governor either of the territory northwest of the Ohio, or of the Indiana territory, shall, whenever his claim shall have been located and surveyed, be entitled to receive, from the register of the land office at Vincennes, a certificate, stating, that the claimant is entitled to receive a patent for such tract of land by virtue of this act; for which certificate the register shall receive one dollar; and which certificate shall entitle the party to a patent for the said tract, which shall issue in like manner as is provided by law for the other lands of the United States.

*Persons, &c. whose claims to tracts are confirmed by this act, and who had not obtained a patent, &c. to receive from the register a certificate, &c. which is to entitle the party to a patent, &c.*

SECT. 6. *And be it further enacted,* That the register and receiver of public moneys in the district of Kaskaskias, be allowed till the first day of December next to complete the investigation of claims to land in the said district. And each of the said officers, and the clerk of the board, shall be allowed an additional compensation of five hundred dollars, in full for his service in relation to such claims.†

*The register and receiver in the district of Kaskaskias allowed till the 1<sup>st</sup> Dec. 1807, to complete the investigation of claims, 500 dolls. additional to the register and receiver of Kaskaskias, &c.*

SECT. 7. *And be it further enacted,* That the public sales of the public lands in the district of Vincennes may be continued six weeks, if the term of three weeks, now prescribed by law,

*[See chap. 187, post.]*  
*The public sales of land in the district of Vin-*

1807. shall not be found sufficient to offer all the lands within the said district for sale.\*

cennes may be continued six weeks, &c.  
[\* See sec. 5, ch. 388, vol. 3.]  
Persons entitled to right of pre-emption to lands in the Mississippi territory, allowed till the 31st Jan. 1808, to make the first payment, &c.

SECT. 8. *And be it further enacted*, That persons entitled to a right of pre-emption to lands in the Mississippi territory, shall be allowed till the first day of January next to make the first payment of the purchase money of such lands.

[*Approved, March 3, 1807.*]

#### CHAP. 103. [XCIII.] An act concerning invalid pensioners.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of war be, and he is hereby, directed to place the following named persons, whose claims have been transmitted to congress, pursuant to a law passed the tenth of April, one thousand eight hundred and six,† on the pension list of invalid pensioners of the United States, according to the rates, and to commence at the times, herein mentioned; that is to say:

The secretary of war to place the persons named, &c., on the pension list, according to the rates, &c. mentioned.  
[† See ante, chap. 24.]

Richard Fairbrother, at the rate of three dollars per month, to commence on the twenty-sixth day of May, one thousand eight hundred and six:

John De Voe, at the rate of two dollars and fifty cents per month, to commence on the first day of August, one thousand eight hundred and six:

Peter Demarest, at the rate of three dollars and seventy-five cents per month, to commence on the first day of August, one thousand eight hundred and six:

Stephen Ogden, at the rate of two dollars and fifty cents per month, to commence on the twenty-fifth day of August, one thousand eight hundred and six:

John Berry, at the rate of five dollars per month, to commence on the second day of September, one thousand eight hundred and six:

John King, at the rate of four dollars per month, to commence on the eighteenth day of October, one thousand eight hundred and six:

Robert Ames, at the rate of five dollars per month, to commence on the eighteenth day of October, one thousand eight hundred and six:

Charles Gowin, at the rate of two dollars and fifty cents per month, to commence on the thirty-first day of October, one thousand eight hundred and six:

Francis L. Slaughter, at the rate of three dollars per month, to commence on the fifteenth day of November, one thousand eight hundred and six:

William Re Beck, at the rate of four dollars per month, to commence on the twenty-second day of November, one thousand eight hundred and six:

Spafford Ames, at the rate of five dollars per month, to commence on the eleventh day of December, one thousand eight hundred and six:

**Josiah Jones**, at the rate of four dollars per month, to commence on the twenty-second day of December, one thousand eight hundred and six: 1807.  
Names of invalid pensioners, &c.

**Samuel Dowdney**, at the rate of two dollars and fifty cents per month, to commence on the twenty-seventh day of December, one thousand eight hundred and six:

**Eliphalet Easton**, at the rate of five dollars per month, to commence on the thirty-first day of December, one thousand eight hundred and six:

**Joseph Ligon**, at the rate of three dollars per month, to commence on the eighth day of January, one thousand eight hundred and seven:

**John Hubbard**, at the rate of three dollars per month, to commence on the eighth day of January, one thousand eight hundred and seven:

**Daniel Guard**, at the rate of two dollars and fifty cents per month, to commence on the twenty-third day of January, one thousand eight hundred and seven:

**Elisha Forbes**, at the rate of three dollars per month, to commence on the twenty-fourth day of January, one thousand eight hundred and seven:

**Alexander Simonton**, at the rate of three dollars per month, to commence on the ninth day of January, one thousand eight hundred and seven:

**Noah Robinson**, at the rate of ten dollars per month, to commence on the twenty-third day of October, one thousand eight hundred and six:

**Charles Mynn Thruston**, at the rate of twenty dollars per month, to commence on the fourteenth day of July, one thousand eight hundred and six:

**Jonas Farnsworth**, at the rate of ten dollars per month, to commence on the second day of September, one thousand eight hundred and six:

**Benoni Hathaway**, at the rate of ten dollars per month, to commence on the sixth day of September, one thousand eight hundred and six:

**Thomas Marshal Baker**, at the rate of ten dollars per month, to commence on the twenty-ninth day of September, one thousand eight hundred and six:

**James Dysart**, at the rate of ten dollars per month, to commence on the eighteenth day of December, one thousand eight hundred and six:

**Henry Ten Eyck**, at the rate of ten dollars per month, to commence on the eighth day of January, one thousand eight hundred and seven:

**John Little**, at the rate of twenty dollars per month, to commence on the thirteenth day of January, one thousand eight hundred and seven:

**Thomas Harris**, at the rate of fifteen dollars per month, to commence on the third day of October, one thousand eight hundred and six:

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**Daniel Ball**, at the rate of ten dollars per month, to commence on the seventeenth day of February, one thousand eight hundred and seven.

The pensions of the persons named, already on the pension list, to be increased, as specified.

**SECT. 2.** *And be it further enacted*, That the pensions of the following persons, already placed on the pension list of the United States, whose claims for an increase of pension have been transmitted to congress, pursuant to the act aforesaid, be increased to the sums herein, respectively, annexed to their names, the said increase to commence at the times herein mentioned; that is to say:

**Seth Wyman**, four dollars per month, to commence on the sixteenth day of June, one thousand eight hundred and six:

**George Bradford**, five dollars per month, to commence on the fifteenth day of August, one thousand eight hundred and six:

**Abel Furney**, five dollars per month, to commence on the twenty-ninth day of August, one thousand eight hundred and six:

**Charles Scott**, five dollars per month, to commence on the first day of September, one thousand eight hundred and six:

**Ephraim Bailly**, five dollars per month, to commence on the fourth day of September, one thousand eight hundred and six:

**Asa Ware**, five dollars per month, to commence on the ninth day of September, one thousand eight hundred and six:

**Daniel Hickey**, five dollars per month, to commence on the twenty-fourth day of September, one thousand eight hundred and six:

**Daniel Nutting**, two dollars per month, to commence on the seventh day of October, one thousand eight hundred and six:

**Able Woods**, five dollars per month, to commence on the tenth day of October, one thousand eight hundred and six:

**Joseph Morril**, five dollars per month, to commence on the twenty-fourth day of October, one thousand eight hundred and six:

**William Neley**, five dollars per month, to commence on the twenty-fourth day of October, one thousand eight hundred and six:

**Elisha Frizle**, three dollars and seventy-five cents per month, to commence on the third day of November, one thousand eight hundred and six:

**William Burritt**, five dollars per month, to commence on the third day of November, one thousand eight hundred and six:

**Benjamin Smith**, five dollars per month, to commence on the third day of November, one thousand eight hundred and six:

**George Pittman**, five dollars per month, to commence on the first day of February, one thousand eight hundred and seven:

**Gustavus Alrick**, three dollars and thirty-three cents and one-third of a cent per month, to commence on the twenty-first day of November, one thousand eight hundred and six:

**Jabez Pembleton**, two dollars and fifty cents per month, to commence on the twenty-seventh day of December, one thousand eight hundred and six:

**Wiat Hinkley**, five dollars per month, to commence on the twenty-eighth day of December, one thousand eight hundred and six:

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Edward Evans, five dollars per month, to commence on the fifteenth day of January, one thousand eight hundred and seven:

Moses Wing, five dollars per month, to commence on the twenty-fourth day of December, one thousand eight hundred and six:

John Cavenough, three dollars per month, to commence on the seventeenth day of January, one thousand eight hundred and seven:

Richard Hardin, five dollars per month, to commence on the eleventh day of September, one thousand eight hundred and six:

Jonathan Holton, ten dollars per month, to commence on the eighth day of September, one thousand eight hundred and six:

Jonathan Willard, five dollars per month, to commence on the eighth day of September, one thousand eight hundred and six:

Thomas Pearson, thirteen dollars thirty-three cents and one-third of one cent per month, to commence on the twenty-eighth day of July, one thousand eight hundred and six:

John Maynard, six dollars per month, to commence on the twenty-fifth day of July, one thousand eight hundred and six:

Thomas Avery, sixteen dollars sixty-six cents and two-thirds of one cent per month, to commence on the third day of October, one thousand eight hundred and six:

Ebenezer Coe, twenty dollars per month, to commence on the thirty-first day of July, one thousand eight hundred and six:

Ebenezer Bancroft, six dollars per month, to commence on the thirty-first day of October, one thousand eight hundred and six:

William Worthington, fifteen dollars per month, to commence on the nineteenth day of November, one thousand eight hundred and six:

David Hawley, ten dollars per month, to commence on the eighth day of December, one thousand eight hundred and six.

SECT. 3. *And be it further enacted*, That the pension of Benjamin Bartlett, of Massachusetts, who was employed in the service of the United States as an escort, spy, and guide, at the pay of one dollar per day, during hostilities with certain Indian tribes, in the year one thousand seven hundred and ninety-four, and was disabled by being wounded whilst in said service, be increased to five dollars per month.

The pension of Benjamin Bartlett, employed as an escort, &c. during hostilities with the Indians in 1794, and disabled, increased, &c.

SECT. 4. *And be it further enacted*, That the pensioners becoming such in virtue of this act, shall be paid in the same manner as invalid pensioners are paid, who have heretofore been placed on the pension list of the United States, under such restrictions and regulations, in all respects, as are prescribed by the laws of the United States in such cases provided.

Pensioners in virtue of this act to be paid as invalid pensioners have been paid heretofore, &c.

[Approved, March 3, 1807.]

CHAP. 104. [XCIV.] An act making provision for the disposal of the public lands situated between the United States military tract and the Connecticut reserve, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*,



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A land office to be established for the disposal of the lands between the military tract and the Connecticut reserve, &c.

A land office to be established at Jeffersonville, &c.

A register and receiver to be appointed for each office, &c.

That, for the disposal of the lands of the United States, situated between the United States military tract and the Connecticut reserve, a land office shall be established, which shall be kept at such place as the president of the United States may direct: and that, for the disposal of the lands of the United States lying on the Ohio river, between the Cincinnati and Vincennes districts, a land office shall be established at Jeffersonville: and for each of the said offices a register and receiver of public moneys shall be appointed, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States north of the river Ohio, and above the mouth of Kentucky river.\*

[\* See ch. 209, vol. 3, and the references thereto.]

All the lands of the United States in the districts referred to, except No. 16, and 33 sections for the Delaware Indians, &c. to be offered for sale to the highest bidder, under the direction of the register and receiver, &c.

[† See act of 30th Feb. 1808; chap. 130, post.]

The sales to remain open for six weeks; and the lands not to be sold for less than 3 dols. an acre, &c.

[‡ See ch. 209, vol. 3, and the references thereto.]

Lands remaining unsold at the close of the public sales may be disposed of at private sale by the register, &c.

[§ See chap. 209, vol. 3, and the references thereto.]

Patents to be obtained in the manner provided by law, &c. Superintendents of public sales to receive six dols. a day, &c.

The president, in the recess, &c. empowered to appoint the registers and receivers, &c.

SECT. 2. *And be it further enacted*, That all the lands of the United States, in the said districts, shall, with the exception of the section number sixteen, and with the exception also of thirteen sections, including the lower town of the Delaware tribe of Indians, and their improvements, which said thirteen sections shall be designated by the secretary of the treasury, and shall be reserved for the use of the said tribe and their descendants, so long as they continue to reside thereon, and cultivate the same,† be offered for sale to the highest bidder, under the direction of the register of the land office, and of the receiver of public moneys, at the places, respectively, where the land offices are kept, and on such day or days as shall, by proclamation of the president of the United States, be designated for that purpose: the sales shall remain open at each place for six weeks, and no longer: the lands shall not be sold for less than two dollars an acre; and shall, in every other respect, be sold in tracts of the same size, and on the same terms and conditions, as have been, or may be, by law, provided for lands sold north of the river Ohio, and above the mouth of the Kentucky river.‡ All the lands of the United States, in the said districts, with the exceptions abovementioned, remaining unsold at the close of the public sales, may be disposed of at private sale, by the register of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the lands of the United States north of the river Ohio, and above the mouth of the Kentucky river.§ And patents shall be obtained for all lands sold in said districts, in the same manner, and on the same terms, as are provided by law for other public lands sold in the state of Ohio and the Indiana territory.

SECT. 3. *And be it further enacted*, That the several superintendents of public sales directed by this act, shall receive six dollars a day for each day's attendance on the said sales.

SECT. 4. *And be it further enacted*, That the president of the United States, in the recess of congress, shall have full power to appoint and commission the registers and receivers of public

moneys of the land offices established by this act, and their commissions shall continue in force until the end of the session of congress next ensuing such appointment. 1807.

SECT. 5. *And be it further enacted*, That the several lead mines in the Indiana territory, together with as many sections contiguous to each as shall be deemed necessary by the president of the United States, shall be reserved for the future disposal of the United States; and any grant which may hereafter be made for a tract of land containing a lead mine, which had been discovered previous to the purchase of such tract from the United States, shall be considered fraudulent and null: And the president of the United States shall be, and is hereby, authorized to lease any lead mine, which has been, or may hereafter be, discovered in the Indiana territory, for a term not exceeding five years.

SECT. 6. *And be it further enacted*, That George Ash shall have the right of pre-emption to six hundred and forty acres of land, including his improvement on the river Ohio, below the former Indian boundary line; the boundaries of the tract shall be designated by the register of the land office, and the said land shall be granted to him at the same price, and on payment being made in the same manner, as for other public land sold at private sale; the respective instalments of the purchase money shall become due at the same time with the payments on the first public lands sold in that district.\* [Approved, March 3, 1807.]

The lead mines in Indiana, with as many contiguous sections as the president may deem necessary, to be reserved for future disposal, &c.  
Grants for tracts containing lead mines, which had been discovered previous to the purchase, &c. to be considered fraudulent and null, &c.  
The president authorized to lease any lead mine discovered in the Indiana territory, &c.  
George Ash to have the right of pre-emption to 640 acres of land, &c. on the river Ohio, &c.  
The boundaries to be designated by the register, &c.

[\* Private.]

## RESOLUTION.

[No. 1.]† Resolution to publish the report and chart of the survey of the coast of North Carolina. [† Obsolete.]

*Resolved, by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of the treasury be, and he hereby is, authorized and directed to cause to be published the report and chart of a survey of the coast of North Carolina, made by Thomas Coles and Jonathan Price, under the act of congress passed at the last session for that purpose. [Approved, March 2, 1807.]

The secretary of the treasury directed to cause to be published the report and chart of a survey of the coast of North Carolina, &c.

[NOTE. See the act referred to, of the 10th of April, 1806; ante, chap. 24. See, also, in relation to the disposal of the chart, the resolution of the 4th of March, 1808; No. 1, post.]

# ACTS OF THE TENTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE FIRST SESSION, WHICH WAS BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE 26TH OF OCTOBER, 1807, AND ENDED ON THE 25TH OF APRIL, 1808.

Thomas Jefferson, President. George Clinton, Vice President, and President of the Senate. Samuel Smith, President of the Senate, pro tempore, from the 18th of April. J. B. Varnum, Speaker of the House of Representatives.

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[\* Obolesce.]

CHAP. 105. [1.] An act making further appropriations for the support of the navy of the United States, during the year one thousand eight hundred and seven.\*

Additional sums appropriated for defraying the expenses of the navy during the year 1807.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for defraying the expenses of the navy of the United States, during the year one thousand eight hundred and seven, the following sums, in addition to the sums heretofore appropriated for that object, be, and the same are hereby, respectively, appropriated; that is to say:

For pay and subsistence of officers, and pay of seamen.

For the pay and subsistence of the officers, and pay of the seamen, seventy-four thousand seven hundred and fifty-four dollars and twenty-nine cents.

For provisions.

For provisions, thirty-one thousand four hundred and sixty-eight dollars and fifteen cents.

For repairs of vessels.

For repairs of vessels, one hundred and forty-two thousand eight hundred and eighty-four dollars and sixty-one cents.

For pay and subsistence of the marine corps.

For pay and subsistence of the marine corps, eighteen thousand five hundred dollars.

For clothing for the marine corps.

For clothing for the same, ten thousand one hundred and thirty-nine dollars and forty-two cents.

For medicines, &c.

For medicines and hospital stores, one thousand two hundred and sixty-three dollars and forty cents.

For ordnance and military stores.

For ordnance and military stores, three hundred and ten thousand five hundred and fifty-four dollars and sixty cents.

For timber.

For timber for the navy, eighty-seven thousand five hundred dollars.

The sums appropriated to be paid out of the treasury, &c.

SECT. 2. *And be it further enacted,* That the several sums, herein specifically appropriated, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, November 24, 1807.]

CHAP. 106. [II.] An act allowing an additional compensation to the secretaries of the Mississippi, Indiana, Louisiana, and Michigan, territories.

1807.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That each of the secretaries of the Mississippi, Indiana, Louisiana, and Michigan territories, appointed under the authority of the United States, be entitled to the annual sum of one thousand dollars, in lieu of his present compensation, to commence on the first day of January next.

[Approved, December 5, 1807.]

Each of the secretaries of the Mississippi, Indiana, Louisiana, and Michigan territories, entitled to 1,000 dollars per ann. in lieu, &c.

CHAP. 107. [III.] An act to change the name of the district of Biddeford and Pepperelborough, in Massachusetts, to that of Saco.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the district, at present called the district of Biddeford and Pepperelborough, in Massachusetts, shall in future be called the district of Saco; and that the collector of the said district be permitted to reside in Saco or Biddeford; and that all the provisions of the several acts of congress, that relate to the district of Biddeford and Pepperelborough, shall be, and the same are hereby, continued in full force, with respect to the district of Saco.†

[Approved, December 15, 1807.]

\* See act of 1st March, 1799; sec. 2, chap. 180, vol. 2.]

The district of Biddeford and Pepperelborough to be called in future the district of Saco; and the collector permitted to reside in Saco or Biddeford, &c.

† See act of 19th Feb. 1801; ch. 251, vol. 2.]

CHAP. 108. [IV.] An act to appropriate money for the providing of an additional number of gun boats.‡

[§ Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he hereby is, authorized and empowered to cause to be built, or purchased, armed, and equipped, a number, not exceeding one hundred and eighty-eight, gun boats, for the better protection of the ports and harbors of the United States, and for such other purposes as in his opinion the public service may require.

SECT. 2. *And be it further enacted,* That a sum, not exceeding eight hundred and fifty-two thousand five hundred dollars, be, and hereby is, appropriated, for this purpose, out of any moneys in the treasury, not otherwise appropriated.

[Approved, December 18, 1807.]

The president authorized to cause to be built or purchased, armed, &c. not exceeding 188 gun boats, &c.

Not exceeding 852,500 dollars, appropriated for the purpose, &c.

CHAP. 109. [V.] An act laying an embargo on all ships and vessels in the ports and harbors of the United States.§

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That an embargo be, and hereby is, laid on all ships and vessels in the ports and places within the limits or jurisdiction of the

[§ Repealed. See act of 1st March, 1800; sec. 19, ch. 195, post. See, also, the note at the end of this chapter.]

An embargo laid on all vessels within the jurisdiction of the

1807-8. United States, cleared or not cleared, bound to any foreign port or place; and that no clearance be furnished to any ship or vessel, bound to such foreign port or place, except vessels under the immediate direction of the president of the United States: And that the president be authorized to give such instructions to the officers of the revenue, and of the navy, and revenue cutters, of the United States, as shall appear best adapted for carrying the same into full effect: *Provided*, That nothing herein contained shall be construed to prevent the departure of any foreign ship or vessel, either in ballast, or with the goods, wares, and merchandise, on board of such foreign ship or vessel, when notified of this act.

United States, cleared or not cleared, bound to a foreign port. No clearance, except, &c. The president to give instructions to carry the embargo into effect, &c. *Provido*; nothing herein to prevent the departure of any foreign vessel, in ballast, or with the goods on board when notified, &c.

During the continuance of this act, no registered or sealetter vessel, having on board goods, &c. allowed to depart from one port of the United States to another without giving bond, &c.

Foreign armed vessels, &c. not liable to the embargo. [\* &c. sec. 4, chap. 112, post.]

SECT. 2. *And be it further enacted*, That, during the continuance of this act, no registered or sealetter vessel, having on board goods, wares, and merchandise, shall be allowed to depart from one port of the United States to any other within the same, unless the master, owner, consignee, or factor, of such vessel, shall first give bond, with one or more sureties, to the collector of the district from which she is bound to depart, in a sum of double the value of the vessel and cargo, that the said goods, wares, or merchandise, shall be relanded in some port of the United States, dangers of the seas excepted; which bond, and also a certificate from the collector where the same may be relanded, shall, by the collector, respectively, be transmitted to the secretary of the treasury. All armed vessels possessing public commissions from any foreign power, are not to be considered as liable to the embargo laid by this act.\*

[*Approved, December 22, 1807.*]

[NOTE. See, in relation to the preceding act, laying an embargo, a supplementary act, of the 9th of January, 1808; chap. 112, post. Also, additional act, of 12th March, 1808; chap. 137, post. An act authorizing the president, under certain conditions, to suspend the operation of the act laying an embargo, of the 22d of April, 1808; chap. 156, post. An act in addition to the act laying an embargo, &c. of the 25th of April, 1808; chap. 170, post. And an act to enforce and make more effectual the act laying an embargo, &c. of the 9th of January, 1809; chap. 176, post.]

CHAP. 110. [VI.] An act to extend certain privileges, as therein mentioned, to Anthony Boucherie.†

[† Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That two years' residence, as required by an act, entitled "An act to extend the privilege of obtaining patents for useful discoveries and inventions to certain persons therein mentioned, and to enlarge and define the penalties for violating the rights of patents,"‡ shall not be required of Anthony Boucherie, to enable him to obtain a patent for any discovery he has made in the art of manufacturing sugar, but that he shall obtain a patent therefor on his conforming to the other requisitions of said act.

Two years' residence, as enjoined by the act mentioned, not to be required of Anthony Boucherie, to enable him to obtain a patent for any discovery in the art of manufacturing sugar, &c. [† Chap. 170, vol. 3.]

[*Approved, January 7, 1808.*]

**CHAP. 111. [VII.]** An act supplementary to an act, entitled "An act for fortifying the ports and harbors of the United States, and for building gun-boats."<sup>o</sup>

1808.

[Obsolete. See orig. act, of 21st April, 1808; ante, chap. 47.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States is hereby authorized to cause such of the fortifications heretofore built or commenced, as he may deem necessary, to be repaired or completed, and such other fortifications and works to be erected as will afford more effectual protection to our ports and harbors, and preserve therein the respect due to the constituted authorities of the nation; and that the sum of one million of dollars, in addition to the sums heretofore appropriated, be, and the same is hereby, appropriated for that purpose, out of any money in the treasury, not otherwise appropriated. [Approved, January 8, 1808.]

The president authorized to cause fortifications heretofore built or commenced, &c. to be repaired or completed and other works to be erected, &c.

1,000,000 dolls. additional appropriated for the purpose, &c.

**CHAP. 112. [VIII.]** An act supplementary to the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States."<sup>†</sup>

[† Repealed. See act of 1st March, 1809; see 19, chap. 195, post. Orig. act, ante, chap. 109. See additional act, chap. 137, post.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, during the continuance of the act to which this act is a supplement, no vessel licensed for the coasting trade shall be allowed to depart from any port of the United States, or shall receive a clearance, until the owner, consignee, agent, or factor, shall, with the master, give bond, with one or more sureties, to the United States, in a sum double the value of the vessel and cargo, that the vessel shall not proceed to any foreign port or place, and that the cargo shall be relanded in some port of the United States.

During the continuance of the embargo, no vessel licensed for the coasting trade to be allowed to depart from any port. &c. until the owner, &c. with the master, give bond, &c. not to proceed to any foreign port, &c.

**SECT. 2.** *And be it further enacted,* That the owner or owners of all vessels licensed for fisheries, or those bound on a whaling voyage, and having no other cargo than sea stores, salt, and the usual fishing tackling and apparel, shall give a general bond, in four times the value of the vessel and cargo, that they will not, during the continuance of the abovementioned act, proceed to any foreign port or place, and will return with their fishing fare to some port or place within the United States: *Provided,* That it shall be lawful, and shall be sufficient in the case of any licensed vessel, whose employment has uniformly been confined to rivers, bays, and sounds, within the jurisdiction of the United States, to give bond in an amount equal to three hundred dollars for each ton of said vessel, with condition that such vessel shall not be employed in any foreign trade during the time limited in the condition of the bond.

Owners of vessels licensed for the fisheries, &c. to give a general bond, &c. not to proceed to any foreign place, &c.

Provide; licensed vessels uniformly employed in rivers, bays, &c. only to give bond in an amount equal to 300 dolls. for each ton, &c.

**SECT. 3.** *And be it further enacted,* That if any ship or vessel shall, during the continuance of the act to which this act is a supplement, depart from any port of the United States without a clearance or permit, or if any ship or vessel shall, contrary to the provisions of this act, or of the act to which this act is a

Vessels departing without a clearance or permit, proceeding to any foreign port, trading, &c. to be wholly forfeited, to

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together with the  
goods, &c.

If the vessel and  
goods be not  
seized, the owner,  
&c. to pay  
double the value,  
&c. and d. priv'd  
of credit for du-  
ties, &c.

The master, and  
others concern-  
ed in the prohib-  
ited voyage, to  
forfeit not ex-  
ceeding 20,000,  
nor less than  
1,000 dollars, each,  
and the oath of  
the master to be  
the after inad-  
missible, &c.

The exception  
made in favor of  
armed vessels,  
&c. to apply on-  
ly to public armed  
vessels, and  
not to embrace  
privateers, &c.  
Private armed  
vessels allowed  
to depart as other  
private foreign  
ships, &c.  
[\* See ante, sec.  
2, chap. 109.]

Foreign vessels  
taking on board  
specie, goods,  
&c. other than  
necessary sea  
stores, &c. to be  
forfeited, &c.

Persons con-  
cerned in the un-  
lawful shipment  
of specie, &c. to  
pay not exceed-  
ing 20,000, nor  
less than 1,000  
dollars.

The penalties,  
&c. incurred by  
force of this act,  
to be sued for,  
&c. as prescribed  
by the act men-  
tioned:

[† Chap. 128,  
vol. 3.]  
And may be mi-  
tigat'd, &c. in  
the manner pre-  
scribed by the  
act referred to.

[‡ Chap. 361,  
vol. 2.]

The time during  
which the act

supplement, proceed to a foreign port or place, or trade with, or put on board of, any other ship or vessel, any goods, wares, or merchandise, of foreign or domestic growth or manufacture, such ships or vessels, goods, wares, and merchandise, shall be wholly forfeited; and if the same shall not be seized, the owner or owners, agent, freighter, or factors, of any such ship or vessel, shall, for every such offence, forfeit and pay a sum equal to double the value of the ship or vessel and cargo, and shall never thereafter be allowed a credit for duties on any goods, wares, or merchandise, imported by him or them into any of the ports of the United States; and the master or commander of such ship or vessel, as well as all other persons who shall knowingly be concerned in such prohibited foreign voyage, shall each, respectively, forfeit and pay a sum not exceeding twenty thousand, nor less than one thousand, dollars, for every such offence, whether the vessel be seized and condemned or not, and the oath or affirmation of any master or commander, knowingly offending against the provisions of this section, shall ever thereafter be inadmissible before any collector of the customs of the United States.

SECT. 4. *And be it further enacted*, That the exception made by the act to which this act is a supplement, in favor of armed vessels possessing public commissions from foreign powers, shall apply only to public armed vessels, and shall not be construed to embrace either privateers, vessels having letters of marque, or any other private armed vessels; but such private armed vessels shall be permitted to depart in the same manner, and on the same conditions, as is provided for other private foreign ships or vessels.\*

SECT. 5. *And be it further enacted*, That if any foreign ship or vessel shall, during the continuance of the act to which this act is a supplement, take on board any specie, or any goods, wares, or merchandise, other than the provisions and sea stores necessary for the voyage, such ship or vessel, and the specie and cargo on board, shall be wholly forfeited, and may be seized, and condemned in any court of the United States having competent jurisdiction; and every person concerned in such unlawful shipment shall forfeit and pay a sum not exceeding twenty thousand dollars, nor less than one thousand dollars, for every such offence.

SECT. 6. *And be it further enacted*, That all penalties and forfeitures incurred by force of this act shall be sued for, recovered, distributed, and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage,"† passed the second day of March, one thousand seven hundred and ninety-nine; and may be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned,"‡ passed the third of March, one thousand seven hundred and ninety-seven, and made perpetual by an act passed the eleventh of February, one thousand eight hundred.

SECT. 7. *And be it further enacted*, That the time during

which the act to which this act is a supplement shall continue in force, shall not be computed as making part of the term of twelve calendar months during which goods, wares, or merchandise, imported into the United States, must be re-exported in order to be entitled to a drawback of the duties paid on the importation thereof. [Approved, January 9, 1808.]

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laying an embargo continues in force, not to be computed as part of the twelve months in which goods, &c. must be re-exported to be entitled to drawback, &c.

[\* See the 7th sec. of the act of 27th March, 1804, which annexes a tract of country to this territory; chap. 414, vol. 2. See, also, chap. 204, vol. 3.] Every free white male, above 21 years, having been a citizen, and resident in the territory one year, &c. and who has a legal or equitable title to a tract of land, &c. to be entitled to vote for representatives, &c.

CHAP. 113. [IX.] An act extending the right of suffrage in the Mississippi territory; and for other purposes.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That every free white male person in the Mississippi territory, above the age of twenty-one years, having been a citizen of the United States, and resident in the said territory one year next preceding an election of representatives, and who has a legal or equitable title to a tract of land, by virtue of any act of congress, or who may become the purchaser of any tract of land from the United States, of the quantity of fifty acres, or who may hold, in his own right, a town lot, of the value of one hundred dollars, within the said territory, shall be entitled to vote for representatives to the general assembly of said territory.†

[† See chap. 407, and chap. 683, post.] The general assembly of the territory empowered to apportion the representatives of the several counties, &c.

SECT. 2 *And be it further enacted,* That the general assembly of the territory aforesaid shall have power to apportion the representatives of the several counties therein, or which may hereafter be established therein, according to the number of free white male inhabitants, above the age of twenty-one years, in such counties: *Provided,* That there be not more than twelve, nor less than ten, of the whole number of representatives, any act or acts to the contrary notwithstanding, until there shall be six thousand free male white inhabitants, of full age, in said territory; after which time the number of representatives shall be regulated agreeably to the ordinance for the government thereof.‡

*Provido;* not more than 12, nor less than 10, representatives, until there are 6,000 free male white inhabitants, &c.

SECT. 3. *And be it further enacted,* That the citizens of the said territory, entitled to vote for representatives to the general assembly thereof, shall, at the time of electing their representatives to the said general assembly, also elect one delegate from the said territory to the congress of the United States, who shall possess the same powers heretofore granted to the delegates from the several territories of the United States; any thing in the ordinance for the government of said territory to the contrary notwithstanding. [Approved, January 9, 1808.]

[‡ See chap. 204, vol. 3.] The citizens of the territory entitled to vote for representatives to the general assembly, to elect a delegate to congress, &c.

CHAP. 114. [X.] An act supplemental to an act, entitled "An act regulating the grants of land, and providing for the disposal of the lands, of the United States south of the state of Tennessee."§

[§ See orig. act, of 3d March, 1803; chap. 340, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That every person, and the legal representatives of every person, who,

Persons, &c. who, being head of a family, or above 21



**1808.** being either the head of a family or above the age of twenty-one years, and who did, on the third day of March, one thousand eight hundred and seven, actually inhabit and cultivate a tract of land not claimed by virtue of a certificate granted by the boards of commissioners east and west of Pearl river, in the Mississippi territory, and who has obtained permission to remain on such tract or tracts of land, agreeably to an act, entitled "An act to prevent settlements being made on lands ceded to the United States, until authorized by law,"\* shall be entitled to a preference in becoming the purchaser from the United States of such tract of land, at the price at which the other lands of the United States in the said territory are directed to be sold; and payment may be made therefor in the same manner, and under the same conditions, as directed by law for such other lands:

*Persons claiming tracts by virtue of this act, to deliver to the register, &c. before the 1st of Oct. 1808, notice in writing, &c. Persons failing to deliver notice, &c. forfeit all claim, &c.*

*Provided, That such tract of land shall not exceed one section: And provided also, That the same shall be surveyed agreeably to the sectional lines already established, or which may hereafter be established, by the surveyor of the lands of the United States south of the state of Tennessee.*

**SECT. 2.** *And be it further enacted,* That every person claiming a tract of land by virtue of this act shall, before the first day of October next, deliver to the register of the land office within whose district the land may be, a notice of his claim, in writing, together with a plat of the tract of land claimed; and if any person shall fail to deliver such notice and plat, the person or persons so failing shall forfeit all claim, or pretension of claim, to such tract of land, and the same shall be sold with the other lands of the United States in said territory.

**SECT. 3.** *And be it further enacted,* That persons entitled to a right of pre-emption under the first section of this act, shall be allowed until the first day of January, one thousand eight hundred and nine, to make the first payment of the purchase money of such tract or tracts of land as may be claimed by virtue of said section; and the residue of the said purchase money shall be paid in the same manner, and under the same conditions, as directed for the other lands in said territory.†

**SECT. 4.** *And be it further enacted,* That this act shall not extend to any person or persons claiming other lands in said territory, in his or their own right, by virtue of British or Spanish grants, or to any person or persons to whom a donation has been granted by either of the said boards of commissioners.

[Approved, January 19, 1808.]

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**CHAP. 115. [XI.]** An act to revive and continue in force for a further time the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."‡

[† Obsolete. See orig. act, of 28th March, 1804; chap. 399, vol. 3. See, also, chap. 178, post.]

The first section of the act further to protect commerce and seamen against

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That so much of the act passed on the twenty-fifth day of March, one thousand eight hundred and four, entitled "An act further to

protect the commerce and seamen of the United States against the Barbary powers,"\* as is contained in the first section of the said act, be, and the same hereby is, revived, and continued in force until the first day of January next: *Provided, however,* That the additional duty laid by the said section shall be collected on all such goods, wares, and merchandise, liable to pay the same, as shall have been imported previous to that day.

[*Approved, January 19, 1808.*]

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the Barbary powers, revived, and continued until the 1st Jan. 1809. [Ch. 99, vol. 3.] *Provided*, the additional duty laid by the section shall be collected on all goods imported previously to the 1st of Jan. 1809.

CHAP. 116. [XII.] An act to provide for the payment of certain expenses incurred in the impeachment of Samuel Chase.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the treasury be, and they are hereby, directed to audit and settle the accounts of all persons who may have claims against the United States for expenses incurred in the inquiry into the conduct, and in the impeachment, of Samuel Chase; which expenses may have been authorized by the committee of inquiry, or the managers of the said impeachment: *Provided*, That the said accounts shall have been first certified by the chairman of the said committee, or managers; and the same shall be paid out of any moneys in the treasury, not otherwise appropriated. [*Approved, January 21, 1808.*]

The accounting officers of the treasury directed to audit and settle the accounts of persons who have claims against the United States for expenses incurred in relation to the impeachment of Samuel Chase, &c.

*Provided*, the accounts to be certified by the chairman of the committee, or managers, &c.

CHAP. 117. [XIII.] An act for the relief of Oliver Evans.‡

[‡ Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That it shall and may be lawful for the secretary of state, on application, in writing, by Oliver Evans, to cause letters patent to be made out, in the manner and form prescribed by the act, entitled "An act to promote the progress of useful arts, and to repeal the act heretofore made for that purpose,"§ thereby granting to said Oliver Evans, his heirs, executors, administrators, and assigns, for a term not exceeding fourteen years, the full and exclusive right and liberty of making, constructing, using, and vending to be used, his invention, discovery, and improvements, in the art of manufacturing flour and meal, and in the several machines which he has discovered, invented, improved, and applied to that purpose: *Provided*, That no person, who may have heretofore paid the said Oliver Evans for license to use his said improvements, shall be obliged to renew said license, or be subject to damages for not renewing the same: *And provided also*, That no person who shall have used the said improvements, or have erected the same for use, before the issuing of the said patent, shall be liable to damages therefor. [*Approved, January 21, 1808.*]

The secretary of state, on application, &c. to cause letters patent to be made out, granting to Oliver Evans, &c. the full and exclusive right of making, vending, &c. his invention in the art of manufacturing flour and meal, &c.

[§ Ch. 100, vol. 3.]

*Provided*, no person who has paid Oliver Evans for license to use his improvements to be obliged to renew it, &c.

*Provided*, persons who have used the improvements, &c. before the issuing of the patent, not liable to damages.

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[\* Obsolete. See orig. act, of 20th Feb. 1804; chap. 365, vol. 3. See, also, chap. 369, post.]  
The act continuing, &c. the salaries of the officers of government, &c. continued until the 6th July, 1812. [† Chap. 369, vol. 3.]

CHAP. 118. [XIV.] An act to continue in force, for a limited time, an act, entitled "An act continuing, for a limited time, the salaries of the officers of government therein mentioned."\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* an act, passed on the twentieth day of February, one thousand eight hundred and four, entitled "An act continuing, for a limited time, the salaries of the officers of government therein mentioned,"† shall be and continue in force for the term of three years, and to the end of the next session of congress thereafter, and no longer. [Approved, January 27, 1808.]

CHAP. 119. [XV.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 120. [XVI.] An act to erect a lighthouse on Point Judith, in the state of Rhode Island.

The secretary of the treasury to cause a lighthouse to be erected on Point Judith, &c. appoint a keeper, and otherwise provide, &c. Proviso; if sufficient land can be obtained at a reasonable price, and the legislature of Rhode Island cedes the jurisdiction, &c. [§ See page 667, vol. 1.] Not exceeding \$,000 dolls. appropriated, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the secretary of the treasury shall be, and he hereby is, authorized and required to cause a good and sufficient lighthouse to be erected on Point Judith, in the state of Rhode Island, and to appoint the keeper of the said lighthouse, under the direction of the president of the United States, and otherwise to provide for such lighthouse, at the expense of the United States: *Provided,* That sufficient land for accommodation of such lighthouse can be obtained at a reasonable price, and the legislature of Rhode Island shall cede the jurisdiction over the same to the United States.‡ And the sum, not exceeding five thousand dollars, is hereby appropriated for the purpose of defraying the expense of erecting the said lighthouse; to be paid out of any moneys in the treasury, not otherwise appropriated.

The secretary of the treasury to cause the lighthouse to be constructed so as to be distinguished with certainty, &c.

SECT. 2. *And be it further enacted, That* it shall be the duty of the secretary of the treasury to cause the said lighthouse to be so constructed that the light, on being discovered, may with certainty be distinguished from that of other lighthouses heretofore erected in its neighborhood.

[Approved, February 10, 1808.]

[§ Obsolete.]

CHAP. 121. [XVII.] An act making appropriations for the support of government during the year one thousand eight hundred and eight.§

Sums appropriated for the objects mentioned.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for the expenditures of the civil list, in the year one thousand eight hundred and eight, including the contingent expenses of the several departments and offices; for the compensation of the

several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expenses of intercourse with foreign nations; for the support of lighthouses, beacons, buoys, and public piers; for defraying the expenses of surveying the public lands, and for satisfying certain miscellaneous claims, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

For compensation granted by law to the members of the senate and house of representatives, their officers and attendants, estimated for a session of four months' and a half continuance, two hundred and one thousand four hundred and twenty-five dollars.

For members of congress, their officers, &c.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of congress, twenty-nine thousand two hundred dollars.

For the contingent at expenses of congress.

For all contingent expenses of the library of congress, and the librarian's allowance, for the year one thousand eight hundred and eight, eight hundred dollars.

For contingent expenses of the library of congress, &c.

For compensation to the president and vice president of the United States, thirty thousand dollars.

For the president and vice president

For compensation to the secretary of state, clerks, and persons employed in that department, thirteen thousand dollars.

For the secretary of state, clerks, &c.

For the incidental and contingent expenses of the said department, four thousand two hundred dollars.

For the contingent expenses of the department of state.

For printing and distributing copies of the laws of the first session of the tenth congress, and printing the laws in newspapers, eight thousand two hundred and fifty dollars.

For printing and distributing the laws, &c.

For special messengers, charged with despatches, two thousand dollars.

For special messengers, with despatches.

For compensation to the secretary of the treasury, clerks, and persons employed in his office, sixteen thousand seven hundred dollars.

For the secretary of the treasury, clerks, &c.

For the expense of translating foreign languages, allowance to the person employed in receiving and transmitting passports and sealetters, stationery and printing, one thousand dollars.

For the expense of translating foreign languages, &c.

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, twelve thousand nine hundred and seventy-seven dollars.

For the comptroller, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses of the comptroller's office, eight hundred dollars.

For contingent expenses of the comptroller's office.

For compensation to the auditor of the treasury, clerks, and persons employed in his office, twelve thousand two hundred and twenty-one dollars.

For the auditor, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses in the office of the auditor of the treasury, five hundred dollars.

For contingent expenses in the auditor's office.

For compensation to the treasurer, clerks, and persons employed in his office, six thousand two hundred and twenty-seven dollars and forty-five cents.

For the treasurer, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses in the treasurer's office, three hundred dollars.

For contingent expenses in the treasurer's office, &c.

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For the register, clerks, &c.

For compensation to the register of the treasury, clerks, and persons employed in his office, sixteen thousand and fifty-two dollars and two cents.

For stationery and printing in the register's office.

For expense of stationery and printing in the register's office, (including books for the public stocks, and for the arrangement of the marine papers,) two thousand eight hundred dollars.

For purchasing books, &c. for the treasury department.

For purchasing books, maps, and charts, for the use of the treasury department, four hundred dollars.

For fuel, &c. for the treasury department.

For fuel, and other contingent expenses of the treasury department, four thousand dollars.

For stating and printing the public accounts, &c.

For defraying the expenses of stating and printing the public accounts for the year one thousand eight hundred and eight, one thousand two hundred dollars.

For a superintendent to secure the treasury buildings, &c. watchmen, &c.

For compensation to a superintendent, employed to secure the buildings and records of the treasury, during the year one thousand eight hundred and eight, including the expense of two watchmen, and for the repair of two fire engines, buckets, lanterns, and other incidental expenses, one thousand one hundred dollars.

For the secretary of the commissioners of the sinking fund.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

For the secretary of war, clerks, &c.

For compensation to the secretary of war, clerks, and persons employed in his office, eleven thousand two hundred and fifty dollars.

For contingent expenses of the office of secretary of war.

For expense of fuel, stationery, printing, and other contingent expenses of the office of the secretary of war, one thousand dollars.

For the accountant of the war department, clerks, &c.

For compensation to the accountant of the war department, clerks, and persons employed in his office, ten thousand nine hundred and ten dollars.

For contingent expenses in the accountant's office.

For contingent expenses in the office of the accountant of the war department, one thousand dollars.

For clerks in the paymaster's office.

For compensation to clerks employed in the paymaster's office, one thousand eight hundred dollars.

For fuel in the same.

For fuel in the said office, ninety dollars.

For the purveyor of, clerks, &c.

For compensation to the purveyor of public supplies, clerks, and persons employed in his office, and for expense of stationery, store rent, and fuel, for the said office, four thousand six hundred dollars.

For the secretary of the navy, clerks, &c.

For compensation to the secretary of the navy, clerks, and persons employed in his office, nine thousand eight hundred and ten dollars.

For contingent expenses in the office of the secretary of the navy.

For expense of fuel, stationery, printing, and other contingent expenses in the office of secretary of the navy, two thousand dollars.

For the accountant of the navy, clerks, &c.

For compensation to the accountant of the navy, clerks, and persons employed in his office, ten thousand four hundred and ten dollars.

For contingent expenses in the accountant's office.

For contingent expenses in the office of the accountant of the navy, five hundred dollars.

For the postmaster general, assistants, clerks, &c.

For compensation to the postmaster general, to the assistant postmaster general, clerks, and persons employed in the postmaster general's office, sixteen thousand dollars.

For expense of fuel, candles, house rent for the messenger, stationery, chests, &c. two thousand five hundred dollars. 1808.

For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars.

For compensation to the clerks of the several commissioners of loans, and for an allowance to certain loan officers, in lieu of clerk hire, and to defray the authorized expenses of the several loan offices, fifteen thousand dollars.

For compensation to the surveyor general, and for his clerks, three thousand two hundred dollars.

For compensation to the surveyor of lands south of the state of Tennessee, clerks employed in his office, stationery, and other contingencies, three thousand two hundred dollars.

For compensation to the officers of the mint:

The director, two thousand dollars:

The treasurer, one thousand two hundred dollars:

The assayer, one thousand five hundred dollars:

The chief coiner, one thousand five hundred dollars:

The melter and refiner, one thousand five hundred dollars:

The engraver, one thousand two hundred dollars:

One clerk, at seven hundred dollars;

And two clerks, at five hundred dollars each.

For the wages of persons employed in the different branches of melting, coining, carpenter's, mill wright's, and smith's work, including the sum of one thousand dollars per annum, allowed to an assistant coiner and die forger, who also oversees the execution of the iron works, eight thousand and fifty dollars.

For the repairs of furnaces, cost of rollers and screws, timber, bar iron, lead, steel, pot ash, and for all other contingencies of the mint, two thousand eight hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the territory of Orleans, thirteen thousand dollars.

For incidental and contingent expenses of the executive officers of the said territory, and for express hire and compensation of an Indian interpreter, two thousand eight hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Mississippi territory, including additional compensation allowed the judges for the year one thousand eight hundred and seven, nine thousand four hundred dollars.

For expense of stationery, office rent, and other contingent expenses in said territory, including a deficiency in the appropriation for these objects in the year one thousand eight hundred and seven, six hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Indiana territory, including additional compensation allowed to the judges for the year one thousand eight hundred and seven, seven thousand eight hundred dollars.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of

For fuel, &c. for the general post office.  
For the loan officers.

For the clerks of the commissioners of loans, &c.

For the surveyor general and clerks.

For the surveyor of lands south of Tennessee, &c.

For the officers of the mint.

Director.

Treasurer.

Assayer.

Chief coiner.

Melter and refiner.

Engraver.

Clerks.

For the wages of persons employed in the mint.

For contingencies of the mint.

For the governor, judges, &c. of Orleans.

For contingent expenses of the Orleans territory, &c.

For the governor, judges, &c. of the Mississippi territory, &c.

For contingent expenses in the Mississippi territory, &c.

For the governor, judges, &c. of the Indiana territory.

For contingent expenses of the Indiana territory.

For the governor

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For judges, &c.  
of the Michigan  
territory, &c.

For contingent  
expenses of the  
Michigan terri-  
tory.

For the govern-  
or, judges, &c.  
of the Louisiana  
territory, &c.

For contingent  
expenses of the  
Louisiana terri-  
tory.

For the dis-  
charge of de-  
mands not other-  
wise provided  
for, admitted at  
the treasury, &c.

For additional  
compensation to  
clerks, &c. not  
exceeding 15  
per cent.

[\* Ante, ch. XI.]

For the judges,  
attorney general,  
&c.

For district at-  
torneys.

For the marshals  
of the districts  
mentioned.

For defraying  
the expenses of  
courts, jurors  
and witnesses,  
in aid of the  
funds arising  
from fines, &c.

For pensions,  
&c.

For invalid pen-  
sioneers, &c.

For the support  
of lighthouses,  
&c.

For erecting  
lighthouses at  
the mouth of the  
Mississippi, &c.

the Michigan territory, including additional compensation allowed to the judges for the year one thousand eight hundred and seven, seven thousand eight hundred dollars.

For expenses of stationery, office rent, and other contingent expenses of the said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Louisiana territory, including additional compensation allowed to the judges for the year one thousand eight hundred and seven, seven thousand eight hundred dollars.

For expense of stationery, office rent, and other contingent expenses of the said territory, three hundred and fifty dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in a due course of settlement at the treasury, two thousand dollars.

For additional compensation to the clerks of the several departments of state, treasury, war, and navy, and of the general post office, not exceeding, for each department, respectively, fifteen per centum, in addition to the sums allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"\* thirteen thousand two hundred and sixty-nine dollars and thirty-three cents.

For compensation granted by law to the chief justice, associate judges, and district judges, of the United States, including the chief justice and two associate judges of the district of Columbia; to the attorney general, and to the district judge of the territory of Orleans; fifty-nine thousand four hundred dollars.

For the like compensation granted to the several district attorneys of the United States, three thousand four hundred dollars.

For compensation to the marshals of the districts of Maine, New Hampshire, Vermont, Kentucky, Ohio, East and West Tennessee, and Orleans, one thousand six hundred dollars.

For defraying the expenses of the supreme, circuit, and district, courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, forfeitures, and penalties, and likewise for defraying the expenses of prosecutions for offences against the United States, and for safe keeping of prisoners, forty thousand dollars.

For the payment of sundry pensions granted by the late government, eight hundred and sixty dollars.

For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March, one thousand eight hundred and eight, to the fourth of March, one thousand eight hundred and nine, ninety-eight thousand dollars.

For the maintenance and support of lighthouses, beacons, buoys, and public piers, stakeages of channels, bars, and shoals, and certain contingent expenses, including repairs and raising Newport lighthouse, eighty-five thousand dollars.

For erecting lighthouses at the mouth of the Mississippi river, and at or near the pitch of Cape Look Out, in North Carolina, a former appropriation of twenty thousand dollars for those ob-

jects having been carried to the surplus fund, twenty thousand dollars. 1808.

For erecting a lighthouse on the south point of Cumberland island, in the state of Georgia, a former appropriation of four thousand dollars for that object having been carried to the surplus fund, four thousand dollars.

For erecting a lighthouse on the south point of Cumberland island, &c.

For erecting a lighthouse on Cape Hatteras, and beacon on Shell Castle island, in addition to the sums heretofore appropriated for those objects, one thousand one hundred and forty-five dollars and forty-four cents.

For erecting a lighthouse on Cape Hatteras, &c.

For erecting the following lighthouses, in addition to the sums heretofore appropriated for them, respectively; that is to say: for erecting a lighthouse on New Point Comfort, in Virginia, one hundred and seventy-seven dollars and twenty cents:

For erecting lighthouses:

On New Point Comfort.

For erecting lighthouses on Long Island Sound, one thousand dollars:

On Long Island Sound.

For erecting a lighthouse on Wood Island, or Fletcher's Neck, one hundred dollars.

On Wood island, &c, &c.

For erecting a double lighthouse at or near Chatham harbor, on the back of Cape Cod, two thousand dollars.

At or near Chatham harbor, &c.

For placing buoys and beacons in or near the rocks and shoals in the channel leading into the harbor of Salem, in Massachusetts, in addition to the sum heretofore appropriated for that object, five thousand dollars.

For placing buoys and beacons in or near the rocks and shoals in the channel leading into the harbor of Salem, &c.

For the expenses of the boards formed in the territories of Orleans and Louisiana, for investigating and adjusting titles and claims to land, in addition to the sum heretofore appropriated for that object, thirty-three thousand three hundred dollars.

For the expenses of the boards for investigating titles and claims to land in the territories of Orleans and Louisiana, &c.

For carrying on the surveys of the public lands in the several territories, twenty-one thousand one hundred and seventy-four dollars.

For carrying on surveys of public lands, &c.

For the contingent expenses of government, the balance of former appropriations for that object having been carried to the surplus fund, twenty thousand dollars.

For the contingent expenses of government, &c.

For expenses of intercourse with foreign nations, thirty-three thousand and fifty dollars.

For intercourse with foreign nations.

For contingent expenses of intercourse with foreign nations, twenty thousand dollars.

For contingent expenses of foreign intercourse.

For expenses of intercourse with the Barbary powers, fifty thousand dollars.

For intercourse with the Barbary powers.

For contingent expenses of intercourse with the Barbary powers, fifty thousand dollars.

For contingent expenses of intercourse with the Barbary powers.

For the relief and protection of distressed American seamen, five thousand dollars.

For the relief, &c. of American seamen.

For expenses of prosecuting claims in relation to captures, twelve thousand five hundred dollars.

For prosecuting claims in relation to captures.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, four thousand dollars.

For the discharge of miscellaneous claims not otherwise provided for, admitted at the treasury, &c.

SECT. 2. *And be it further enacted*, That the several appropriations hereinbefore made, shall be paid and discharged out of

The preceding appropriations to be paid out of



1808. the fund of six hundred thousand dollars, reserved by an act making provision for the debt of the United States,\* and out of any moneys in the treasury, not otherwise appropriated.  
 [Approved, February 10, 1808.]

the fund reserved, &c.  
 [\* See chap. 61, vol. 2.]

CHAP. 122. [XVIII.] An act making appropriations for the support of the navy of the United States, during the year one thousand eight hundred and eight.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for defraying the expenses of the navy of the United States, during the year one thousand eight hundred and eight, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

Sums appropriated for defraying the expenses of the navy during the year 1808.

For the pay and subsistence of the officers and pay of the seamen.

For the pay and subsistence of the officers, and pay of the seamen, three hundred and sixty-eight thousand and forty-eight dollars.

For provisions.

For provisions, one hundred and sixty-two thousand seven hundred and sixty-five dollars and ten cents.

For medicines.

For medicines, instruments, and hospital stores, five thousand dollars.

For repairs of vessels.

For repairs of vessels, one hundred and ninety-five thousand dollars.

For freight, store rent, &c.

For freight, store rent, commissions to agents, and other contingent expenses, seventy-five thousand dollars.

For pay and subsistence of the marine corps.

For pay and subsistence of the marine corps, including provisions for those on shore, and forage for the staff, one hundred and sixty thousand one hundred and thirty-one dollars and ninety cents.

For clothing for the marine corps.

For clothing for the same, twenty-nine thousand nine hundred and thirty-three dollars and eighty cents.

For military stores, &c.

For military stores for the same, nine thousand six hundred and fifty-four dollars.

For medicine, medical services, &c.

For medicine, medical services, hospital stores, and all other expenses on account of the sick belonging to the marine corps, two thousand dollars.

For quartermaster's and barrackmaster's stores, officers' travelling expenses, &c.

For quartermaster's and barrackmaster's stores, officers' travelling expenses, armorer's and carpenter's bills, fuel, premiums for enlisting, musical instruments, bounty to music, and other contingent expenses, fourteen thousand and thirty-five dollars.

For the expense of navy yards, &c.

For the expense of navy yards, comprising docks and other improvements, pay of superintendents, storekeepers, clerks, and laborers, sixty thousand dollars.

For ordnance.

For ordnance, fifty thousand dollars.

The sums appropriated to be paid out of moneys in the treasury, &c.

SECT. 2. *And be it further enacted,* That the several sums herein specifically appropriated, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, February 10, 1808.]

CHAP. 123. [XIX.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

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CHAP. 124. [XX.] An act making appropriations for carrying into effect certain Indian treaties.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for the purpose of carrying into effect a treaty between the United States and the Choctaw nation of Indians, concluded at Pooshapukanuk, in the Choctaw country, on the sixteenth day of November, one thousand eight hundred and five,\* the following sums be, and the same hereby are, appropriated, in conformity with the stipulations contained in the said treaty; that is to say:

To the said Choctaw nation, fifty thousand five hundred dollars, and the further annual sum of three thousand dollars:

To each of the three great Medal Mingoes, Pukshunnubbee, Mingo Hoomastubbee, and Pooshamattaha, five hundred dollars; and a further annual sum of one hundred and fifty dollars to each of the said Mingoes, during his continuance in office.

SECT. 2. *And be it further enacted, That,* for the purpose of carrying into effect a treaty between the United States and the Ottawawa, Chippewa, Wyandot, and Pattawatima, nations of Indians, concluded at Detroit, on the seventeenth day of November, in the year one thousand eight hundred and seven,† the following sums be, and the same hereby are, appropriated, in conformity with the stipulations contained in the said treaty; that is to say:

Ten thousand dollars to be paid to the said nations, in the following proportions:

To the Ottawa nation, three thousand three hundred and thirty-three dollars thirty-three cents and four mills:

To the Chippewa nation, three thousand three hundred thirty-three dollars thirty-three cents and four mills:

To the Wyandot nation, one thousand six hundred and sixty-six dollars sixty-six cents and six mills:

To the Pattawatima nation, one thousand six hundred and sixty-six dollars sixty-six cents and six mills.

And the further annual sum of two thousand four hundred dollars, to be paid to the said nations in the following proportions:

To the Ottawas, eight hundred dollars:

To the Chippewas, eight hundred dollars:

To the Wyandots, four hundred dollars: And to such of the Pattawatimas as now reside on the river Huron of lake Erie, the river Raisin, and in the vicinity of the said rivers, four hundred dollars.

SECT. 3. *And be it further enacted, That* the several sums appropriated by this act, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, February 19, 1808.]

Sums appropriated for carrying into effect the treaty of Pooshapukanuk, with the Choctaws, &c.  
[\* See the treaty, page 349, vol. 1.]

To the Choctaw nation.

To the three great Medal Mingoes.

Sums appropriated for carrying into effect the treaty of Detroit, with the Ottawas, Chippewas, &c.  
[† See the treaty, page 414, vol. 1.]

To the Ottawas.

To the Chippewas.

To the Wyandots.

To the Pattawatimas.

Further annual sum to the nations.

To the Ottawas.

To the Chippewas.

To the Wyandots.

To the Pattawatimas who reside on the river Huron of lake Erie, &c.

The sums appropriated to be paid out of the treasury, &c.

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CHAP. 125. [XXI.] An act to provide for the payment of certain expenses incurred in the inquiry into the conduct of John Smith, a senator from the state of Ohio.\*

[\* Obsolete.]

The accounting officers of the treasury to settle the accounts of all persons who have claims for any expenses incurred in the inquiry into the conduct of John Smith, a senator, &c. as an alleged associate of Aaron Burr, &c. *Provido*; the accounts to have been first certified, &c.

3 dolls. to every witness, for each day's attendance, &c.

500 dolls. appropriated to defray the expenses, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the accounting officers of the treasury be, and they are hereby, directed to audit and settle the accounts of all persons who may have claims against the United States, for expenses incurred in the inquiry into the conduct of John Smith, a senator of the United States from the state of Ohio, as an alleged associate of Aaron Burr; which expenses may have been authorized by the committee of inquiry, or by order of the senate: *Provided*, That the said accounts shall have been first certified by the chairman of the committee, or by the secretary of the senate.

SECT. 2. *And be it further enacted*, That, to every witness before the said committee of inquiry, or before the senate upon the said inquiry, there shall be allowed and paid, for every day's attendance thereon, the sum of three dollars. And, to defray the said expenses, there is hereby appropriated the sum of five hundred dollars, to be paid from any moneys in the treasury, not otherwise appropriated. [*Approved, February 19, 1808.*]

CHAP. 126. [XXII.] An act making additional compensation to the marshals for the districts of North Carolina and New Jersey.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, from and after the last day of March next, there shall be paid, annually, to the marshal for the district of North Carolina, the sum of four hundred dollars; to the marshal for the district of New Jersey, the sum of two hundred dollars; in addition to the fees and emoluments heretofore allowed them by law.

[*Approved, February 25, 1808.*]

[† Private and obsolete.]

CHAP. 127. [XXIII.] An act for the relief of Samuel Whiting.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of the treasury be, and he is hereby, authorized and directed to pay to Samuel Whiting, four hundred and forty dollars, in satisfaction of the said Samuel Whiting's claim for services rendered, and expenses incurred, pursuant to the directions of the postmaster general, in the apprehending and prosecuting one Henry Deming, late a deputy postmaster at Hinsdale, in Massachusetts, who was indicted in the circuit court of the United States at Boston, for embezzling certain letters which came to his possession, containing bank notes belonging to the said Samuel Whiting. [*Approved, February 25, 1808.*]

The secretary of the treasury directed to pay to Samuel Whiting 440 dolls. for services rendered, &c. in apprehending and prosecuting one Henry Deming, late a deputy postmaster, &c. indicted for embezzling letters, &c.

CHAP. 128. [XXIV.] An act extending the right of suffrage in the Indiana territory.\*

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SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That every free white male person in the Indiana territory, above the age of twenty-one years, having been a citizen of the United States, and resident in the said territory one year next preceding an election of representatives, and who has a legal or equitable title to a tract of land of the quantity of fifty acres, or who may become the purchaser from the United States of a tract of land of the quantity of fifty acres, or who holds in his own right a town lot of the value of one hundred dollars, shall be entitled to vote for representatives to the general assembly of the said territory. [Approved, February 26, 1808.]

[\* See act of 7th May, 1800; sec. 4, chap. 104, vol. 3; and act of 3d March, 1811, chap. 315, post.] Every free white male person, in the Indiana territory, above 21 years, having been a citizen, and resident in the territory one year, &c. and who has a legal or equitable title to a tract of 50 acres of land, &c. entitled to vote for representatives to the general assembly, &c.

CHAP. 129. [XXV.] An act supplementary to the act, entitled "An act to prohibit the importation of certain goods, wares, and merchandise."†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That nothing in the act to which this is a supplement shall be so construed as to prohibit the importation of the following articles; that is to say:

*First.* Wrappers and outside packages, in which goods, the importation of which is not prohibited, usually are, and shall be, wrapped or packed at the time of their importation.

*Second.* Bags, or sacks, in which salt shall be imported.

*Third.* Glass bottles, or phials, in which drugs, medicines, or any other article, the importation of which is not prohibited, shall be imported.

*Fourth.* Printed books, maps, and charts.

*Fifth.* Watches, tradesmen's and artificer's tools; mathematical, astronomical, and surgical, instruments; gilt buttons, locks, and all other articles manufactured partly of brass and partly of any other metal.

*Sixth.* Shalloons and woollen stuffs, muskets, bayonets, swords, cutlasses, and pistols.

SECT. 2. *And be it further enacted,* That the articles of the following description shall be held and considered as being embraced by the description of articles, the importation of which is prohibited by the act to which this act is a supplement, that is to say:

All articles manufactured entirely of silk and wool, or of silk and flax, or of flax and wool; floor cloths; woollen cassimeres, carpets, carpeting, and mats, whose invoice prices shall exceed five shillings sterling per square yard.

SECT. 3. *And be it further enacted,* That no articles imported on board any vessel of the United States, cleared out before the fourteenth day of December last, from any port within the United States, or the territories thereof, shall be subject to the prohibition enacted by the act to which this act is a supplement:

[† Repealed. See act of 1st March, 1809; sec. 17, chap. 198, post. See orig. act, of 18th April, 1806; ante, chap. 96.] Nothing in the act referred to, to prohibit the importation of the articles specified, &c.

The articles described to be considered as embraced by the act prohibiting importation, &c.

Articles imported on board vessels of the United States, cleared out before the 14th Dec. 1807, &c. not to be subject to the prohibition, &c.

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Provide; vessels that cleared for any port beyond the Cape of Good Hope, to return within 12 months, &c. Provide; vessels cleared for other ports, to return within 6 months, &c.

*Provided*, That such vessels which may have cleared for any port beyond the Cape of Good Hope, shall return to some port in the United States, or its territories, within twelve months: *And provided*, That such vessels as shall have cleared from any other port shall return, as aforesaid, within six months from the said fourteenth day of December. [Approved, February 27, 1808.]

[\* See act of 3d March, 1807; ante, chap. 104.]

CHAP. 130. [XXVI.] An act making further provision for the disposal of the sections of land heretofore reserved for the future disposition of congress.\*

All the sections of land heretofore reserved, &c. not sold, &c. lying within either of the districts, &c. in Ohio, except No. 26, &c. to be offered for sale, &c.

Provide; the sections previously to be offered to the highest bidder at public sale, &c.

Provide; no heretofore reserved section to be sold for less than 4 dollars per acre.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all the sections of land heretofore reserved for the future disposition of congress, not sold or otherwise disposed of, and lying within either of the districts established for the disposition of public lands in the state of Ohio, with the exception of the section numbered sixteen, of the Salt Springs, and lands reserved for the use of the same, shall be offered for sale in that district within which such reserved sections may respectively lie, on the same terms, and under the same regulations, as other lands in the same district: *Provided*, That such sections shall previously be offered to the highest bidder, at public sales, to be held under the superintendence of the registers and receivers of public moneys of the land offices, respectively, to which they are attached, on the same terms as have been provided by law for the public sales of the other lands of the United States, and on such day or days as shall, by a proclamation of the president of the United States, be designated for that purpose: *And provided, also*, That no such heretofore reserved section shall be sold either at public or private sale, at a less price than four dollars per acre. [Approved, February 29, 1808.]

[† Obsolete.]

CHAP. 131. [XXVII.] An act making appropriations for the support of the military establishment of the United States, for the year one thousand eight hundred and eight†

Sums appropriated for defraying the expense of the military establishment of the United States for the year 1808, &c.

For the pay of the army.

For forage.

For the subsistence of the army, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for defraying the expense of the military establishment of the United States, for the year one thousand eight hundred and eight, for the Indian department, and for the expense of fortifications, arsenals, magazines, and armories, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

For the pay of the army of the United States, three hundred and two thousand nine hundred and fifty-two dollars.

For forage, four thousand six hundred and eight dollars.

For the subsistence of the army and corps of engineers, two hundred and forty-two thousand five hundred and forty-eight dollars and thirty-five cents.

For clothing, eighty-five thousand dollars.

For bounties and premiums, fifteen thousand dollars.

For the medical and hospital departments, fifteen thousand dollars.

For camp equipage, fuel, tools, and transportation, ninety thousand dollars.

For fortifications, arsenals, magazines, and armories, two hundred and eighteen thousand six hundred and forty-two dollars and five cents.

For purchasing maps, plans, books, and instruments, fifteen hundred dollars.

For contingencies, eighteen thousand dollars.

For ordnance, forty-five thousand dollars.

For tents, twenty thousand dollars.

For extra transportation of military stores, twenty-five thousand dollars.

For the Indian department, one hundred and forty thousand six hundred dollars.

SECT. 2. *And be it further enacted*, That the several sums herein specifically appropriated, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, March 3, 1808.]

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For clothing.  
For bounties and premiums.  
For the medical and hospital departments.  
For camp equipage, &c.

For fortifications, arsenals, &c.

For maps, plans, &c.

For contingencies.  
For ordnance.  
For tents.

For extra transportation, &c.

For the Indian department.

The sums appropriated to be paid out of moneys in the treasury, &c.

CHAP. 132. [XXVIII.] An act to allow the importation of old copper, salt-petre, and sulphur, free of duty.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, from and after the thirty-first day of March next, no duty shall be demanded or collected on the importation of old copper; which term shall apply only to such copper manufactures as have been worn out or otherwise so damaged as to be unfit for any other purpose than that of supplying a raw material, to be manufactured anew. And it shall be lawful for the collector of the port or district in which such old copper shall arrive, should any doubt arise whether such importation comes within the intent and meaning of this act, to appoint one person, and the owner, importer, or consignee, to appoint another, who shall ascertain whether the copper imported comes under the denomination of old copper, as above described; and the proceedings in this instance shall be conducted in the like manner and form as the proceedings are directed to be had by the fifty-second section of the act passed the second of March, one thousand seven hundred and ninety-nine,\* regulating the collection of duties on imports and tonnage, in cases of incomplete entry, or of damage sustained by goods, wares, and merchandise, during the voyage.

SECT. 2. *And be it further enacted*, That, from and after the said thirty-first day of March next, no duty shall be demanded or collected on the importation of saltpetre or sulphur.

[Approved, March 4, 1808.]

No duty to be collected on the importation of old copper after the 31st of March, 1809, &c.

In case of doubt whether old copper imported comes within the meaning of this act, the collector is to appoint one person and the owner, &c. another, who are to determine as directed by the 52d section of the act referred to, &c.

[\* See chap. 132, vol. 3.]

No duty to be collected on saltpetre or sulphur, after the 31st of March, 1809.

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CHAP. 133. [XXIX.] An act in further addition to an act, entitled "An act to amend the judicial system of the United States."<sup>9</sup>

[<sup>9</sup> See orig. act, of 20th April, 1805; chap. 201, vol. 3.]

The circuit court in the 2d circuit to consist of the justice of the supreme court residing therein, and of the district judge, &c.

The circuit court, &c. within the district of G. orig. to be hereafter h. id at Milledgeville, &c.

Times prescribed for holding the fall terms of the district court of North Carolina, instead of those heretofore established, &c.

[† Altered. See act of 23d of Jan. 1812; chap. 346, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the circuit court of the United States, in the second circuit, shall consist of the justice of the supreme court residing within said circuit, and the district judge of the district in which such court may be holden.

SECT. 2. *And be it further enacted,* That, within the district of Georgia, the circuit court to be holden in the month of December, annually, shall hereafter be holden at Milledgeville, instead of Louisville.

SECT. 3. *And be it further enacted,* That, instead of the times heretofore established by law for holding the fall terms of the district court for the district of North Carolina, the same be commenced and holden in future on the following days; that is to say: At Wilmington, in and for the district of Cape Fear, on the third Monday of October; at Newbern, in and for the district of Pamptico, on the Friday next after the third Monday of October; and at Edenton, in and for the district of Albemarle, on the first Tuesday which shall follow the Friday next after the third Monday of October, annually.† And that all actions, suits, writs, process, pleadings, and other proceedings commenced, or to be commenced, or which shall be now pending in any of the district courts of the district of North Carolina, for the terms aforesaid, shall be continued over, and have day, according to the alterations hereby made and established, any thing in any former act or acts to the contrary notwithstanding.

[Approved, March 9, 1808.]

CHAP. 134. [XXX.] An act for extending the terms of credit on revenue bonds in certain cases, and for other purposes ‡

[‡ Obsolete. See act of 1st March, 1809; chap. 106, post.]

The payment of bonds for duties on coffee, sugar, &c. becoming due subsequent to the 23d of Dec. 1807, &c. may be suspended whilst the act laying an embargo continues in force, &c. [§ Ante, ch. 109.]

Proviso; the credit not to extend to the duties on any of the described articles which have been re-exported with benefit of drawback, &c.

Persons entitled to the extension of credit, &c. to

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the payment of all bonds given for duties on the importation of coffee, sugar, pepper, indigo, cocoa, and wine, paying a duty of twenty-three cents per gallon, which remain unpaid at the passing of this act, and have or may become due, subsequent to the twenty-second of December last, and whilst the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States," § shall continue in force, may be suspended during the continuance of the said act, on the terms and conditions hereinafter provided: *Provided,* That such extension of credit shall not apply to the duties due for any of the above described articles which either have been re-exported, or are not entitled to be exported, with benefit of drawback, nor to any which have been, or will be, sold by the importer.

SECT. 2. *And be it further enacted,* That the persons entitled to the extension of credit allowed by the preceding section shall,

in order to enjoy its benefit, take up, or have cancelled, the bonds heretofore given for duties, on which the extension of credit is allowed, and give to the collector new bonds, with one or more sureties, to the satisfaction of said collector, for the sums of their former bonds, respectively, payable whenever the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States," shall no longer be in force; which bonds shall be accepted by the collectors, respectively, upon the terms following; that is to say: the goods for the duties whereon such bonds shall be accepted shall be deposited at the expense and risk of the importer or importers, parties to the said bonds, in one or more storehouse or storehouses, in the same manner as is now provided for the deposit of teas, by the sixty-second section of the act, entitled "An act to regulate the collection of duties on imports and tonnage,"\* but no delivery of the said goods, or of part thereof, shall be made to the owners thereof, unless the duties on so much thereof, as may, on the application of the owners, be thus delivered, shall have been paid. And whenever the sum specified in any of the bonds taken by virtue of this section shall become due, and remain unpaid more than forty-five days, so much of the said deposited goods as may be necessary shall be sold by the collector at public sale, and the proceeds thereof, after deducting the charges of safe keeping and sale thereof, shall be applied to the payment of such sum, rendering the overplus arising on such sale, and the residue of the goods so deposited, if any there be, to the person or persons by whom such a deposit shall have been made, or to his or their agent or lawful representative. But if the proceeds of such sale shall not be sufficient to pay the duties and charges, or if any of the goods shall, while deposited, be destroyed, stolen, lost, or damaged, the bonds taken by virtue of this section, for the payment of duties on such goods, shall be proceeded with, in all respects, as other bonds taken by collectors for duties due to the United States.

**SECT. 3.** *And be it further enacted,* That whenever any goods, wares, or merchandise, which, being entitled to be exported with benefit of drawback, had, prior to the twenty-second day of December last, been actually laden on board a vessel, and inspected under the superintendence of a proper officer, in conformity with the provisions of the seventy-sixth section of the act, entitled "An act to regulate the collection of duties on imports and tonnage,"† have been detained under the act laying an embargo on all ships and vessels in the ports and harbors of the United States, so as to prevent the actual exportation of such goods, wares, and merchandise, the payment of bonds given for duties on the importation of the same may, to an amount equal to that of such duties, and no farther, be suspended during the continuance of the last mentioned act, in the same manner, and on the same terms and conditions, as is provided by the preceding section for bonds given for duties on certain specified articles: *Provided,* That the owners of such goods, wares, and merchandise, shall surrender any debentures which previously have been granted for the drawback of duties on the same.

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have the bonds heretofore given cancelled, and furnish new bonds to the collector, payable whenever the act laying an embargo shall come to operate, &c.  
Terms upon which the bonds are to be accepted by the collectors.

\* Ch. 128, vol. 3.

Whenever any goods, entitled to be exported with benefit of drawback, had, prior to the 22d of Dec. 1807, been actually laden, inspected, &c. and have been detained under the act laying an embargo, the payment of bonds for duties may be suspended, to an amount equal, &c.  
† Ch. 128, vol. 3.

proviso; the owners of the goods must surrender debentures, &c.



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Persons entitled to the credit allowed by the next preceding section, may either deposit the goods, &c. in a storehouse, or leave them on board the vessel, &c. they being secured, &c. *Provido*; when it may be lawful to export such goods, &c. they are to be again inspected, &c.

*Provido*; nothing herein to prevent the owners of goods, &c. who may not claim the extension of credit, &c. from landing and keeping them in possession, &c.

SECT. 4. *And be it further enacted*, That the persons entitled to the extension of credit allowed by the next preceding section may, at their option, either deposit the goods, wares, and merchandise, in a storehouse or storehouses, or leave the same on board the vessel on which the same have been laden; the said goods, wares, and merchandise, being, in either case, secured in the same manner as is provided for goods deposited in conformity with the second section of this act: *Provided always*, That whenever it may be lawful to export such goods, wares, or merchandise, it shall be necessary that the same should again be inspected by a proper officer on board the vessel in which the same shall be exported, in order to entitle the exporter to the benefit of drawback; nor shall any debentures for drawback of duties on such goods, wares, and merchandise, be issued or paid, until after the actual exportation of the same. *And provided also*, That nothing herein contained shall be construed to prevent the owners of such goods, wares, and merchandise, who may not claim the extension of credit allowed by this act, and who have not received debentures for the drawback of duties on the same, from landing and keeping in their possession any such goods, wares, and merchandise. [*Approved, March 10, 1808.*]

CHAP. 135. [XXXI.] An act for procuring an additional number of arms, and for the purchase of saltpetre and sulphur.\*

[\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That a sum of money, not exceeding three hundred thousand dollars, be, and the same is hereby, appropriated, out of any moneys in the treasury, not otherwise appropriated, for the purpose of procuring by purchase, or causing to be manufactured within the United States, and under the direction of the president of the United States, an additional number of stands of arms, to be deposited in safe and suitable places. And, for the purchase of saltpetre and sulphur, a sum not exceeding one hundred and fifty thousand dollars. [*Approved, March 11, 1808.*]

Not exceeding 300,000 dolls. appropriated, &c. for procuring an additional number of stands of arms, &c.

Not exceeding 150,000 dolls. for the purchase of saltpetre and sulphur.

CHAP. 136. [XXXII.] An act for the relief of Edward Weld, Samuel Beebe, and John Davidson.†

[† Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of the treasury be, and he hereby is, authorized and directed to pay, out of any moneys in the treasury not otherwise appropriated, to Edward Weld, the sum of one hundred dollars, to Samuel Beebe, the sum of fifty dollars, and to John Davidson, the sum of fifty dollars, together with interest on each of the said sums, at the rate of eight per centum per annum, agreeably to the terms of the loan of five millions of dollars, proposed under a treasury regulation, pursuant to an act of

The secretary of the treasury directed to pay, out of the treasury, 100 dolls. to Edward Weld, 50 dolls. to Samuel Beebe, and 50 dolls. to John Davidson, with interest, at the rate of 8 per cent. agreeably to the terms of

congress, passed on the sixteenth day of July, one thousand seven hundred and ninety-eight, entitled "An act to enable the president of the United States to borrow money for the public service,"\* being the amount of three certificates issued at the bank of the United States, as part of the said loan; one of which, being number two hundred and twenty-seven, issued in the name of the said Edward Weld, for one hundred dollars, and has been since lost by him, not having been funded; one other, being number eight hundred and ninety, issued in the name of John Fox, for one hundred dollars, the one moiety of which has been funded, and the other moiety remaining still unfunded, has been regularly assigned the said Samuel Beebee; and the remaining one of said certificates, being the unfunded moiety of number seventeen hundred and twenty-seven, for one hundred dollars, issued in the name of George Willis, and regularly assigned to the said John Davidson; upon which certificates all the instalments have been paid, conformably to the terms of the said loan: *Provided*, That the said Edward Weld shall, previous to the said sum being paid to him, give bond, with sufficient security, to the satisfaction of the secretary of the treasury, to indemnify the United States against any future claim made on them on account of the said lost certificate. [*Approved, March 11, 1808.*]

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the loan of five millions of dollars, being the amount of three certificates, &c., as described, &c., [Ch. 90, vol. 3.]

*Proviso:* Edward Weld to give bond, &c. to indemnify the United States against any future claim on account of the lost certificate, &c.

CHAP. 137. [XXXIII.] An act in addition to the act, entitled "An act supplementary to the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States."†

[† Repealed. See sec. 19, ch. 105, post. See, also, orig. act, of 9th Jan. 1808; ante, chap. 112.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, during the continuance of the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States,"‡ no ship, vessel, or boat, of any description whatever, owned by citizens of the United States, and which is neither registered, licensed, or possessed of a sealetter, shall be allowed to depart from any port of the United States, or shall receive a clearance; nor shall any foreign vessel be allowed to depart from any port of the United States, with a cargo destined for another port of the United States, or shall receive a clearance for that purpose, until the owner or owners, consignee, or factors, of such American or foreign vessel, shall, with the master, give bond, with one or more sureties, to the United States, in case of a vessel owned by citizens of the United States, in a sum double the value of the vessel and cargo, and in that of a foreign vessel four times the value of the vessel and cargo, that the vessel shall not proceed to any foreign port or place, and that the cargo shall be relanded in some port of the United States: *Provided*, That it shall be lawful and sufficient, in the case of any such American vessel, whose employment has uniformly been confined to rivers, bays, sounds, and lakes, within the jurisdiction of the United States, to give bond in an amount equal to two hundred dollars for each ton of said vessel, with condition that such vessel shall

During the continuance of the act laying an embargo, no vessel owned by citizens, neither registered, &c. nor foreign vessels, allowed to depart, &c. until the owners, &c. give bond, &c. that the vessels shall not proceed to a foreign port, &c. [Ante, ch. 109.]

*Proviso:* it is sufficient, in the case of American vessels uniformly employed in rivers, bays, &c. within the jurisdiction of the United States, to give bond in an amount equal to

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300 dollars, for each ton, &c.

No bond to be required of boats not masted, &c. whose employment is confined to rivers, &c. unless the secretary of the treasury deems a bond necessary, and then only in an amount equal to 30 dollars for each ton, &c.

not be employed in any foreign trade during the time limited in the condition of the bond.

SECT. 2. *And be it further enacted*, That no bond shall be required of boats not masted, or, if masted, not being decked, whose employment has been, and shall continue to be, confined to rivers, bays, and sounds, within the jurisdiction of the United States, and lying within districts which are not adjacent to the territories, colonies, or provinces, of a foreign nation, whether such boats be licensed or not, and unless, in the opinion of the secretary of the treasury, such bond be necessary; and in case the secretary shall deem such bond necessary, it shall be lawful and sufficient for the owner of the boat to give bond in an amount equal to thirty dollars for each ton of said boat, with condition that such boat shall not be employed in any foreign trade during the continuance of the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States."\*

[\*Ante, ch. 109.]

In every case where a bond has been given under this act, &c. with condition for relanding goods, &c. the parties to produce a certificate of relanding within four months, &c.

[†Ante, ch. 109.]

SECT. 3. *And be it further enacted*, That in every case where a bond hath been, or shall be, given to the United States under this act, or under the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States,"† or under the act supplementary to the last mentioned act, with condition that certain goods, wares, and merchandise, or the cargo of a vessel, shall be relanded in some port of the United States; the party or parties to such bond shall, within four months after the date of the same, produce to the collector of the port from which the vessel had been cleared with such goods, wares, merchandise, or cargo, a certificate, of the relanding of the same, from the collector of the proper port; on failure whereof the bond shall be put in suit; and in every such suit judgment shall be given against the defendant or defendants, unless proof shall be produced of such relanding, or of loss by sea, or other unavoidable accident.

No goods, wares, or merchandise, of foreign or domestic growth or manufacture, to be exported from the United States, during the continuance of the act laying an embargo, &c.

[‡Ante, ch. 109.]

In case of the exportation of merchandise, contrary to this act, &c. the vessel, &c. in which it is exported, are forfeited, and the owners, &c. to forfeit not exceeding 10,000 dollars.

Provido; nothing in this section to prevent foreign vessels from departing with cargoes which may be on board

SECT. 4. *And be it further enacted*, That it shall not be lawful to export from the United States, in any manner whatever, any goods, wares, or merchandise, of foreign or domestic growth or manufacture; and if any goods, wares, or merchandise, shall, during the continuance of the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States,"‡ and of the act supplementary to the last mentioned act, contrary to the prohibitions of this act, be exported from the United States, either by land or water, the vessel, boat, raft, cart, waggon, sleigh, or other carriage, in which the same shall have been exported, shall, together with the tackle, apparel, horses, mules, and oxen, be forfeited, and the owner or owners of such goods, wares, or merchandise, and every other person knowingly concerned in such prohibited exportation, shall each, respectively, forfeit and pay a sum not exceeding ten thousand dollars for every such offence: *Provided, however*, That nothing in this section contained shall be construed to prevent foreign vessels from departing from the ports of the United States with the cargo or cargoes which may be on board of the same, when

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notified of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, in conformity with the provisions of the said act, nor to take away any power conferred on the president by the last mentioned act, nor to prevent foreign vessels from furnishing themselves with necessary provisions and sea stores for the voyage, nor fishing vessels from departing with sea stores, salt, and their usual fishing tackle and apparel, in the manner prescribed by the act supplementary to the aforesaid act.

when notified of the act laying an embargo, nor to take away any power conferred on the president by the act referred to, &c.

SECT. 5. *And be it further enacted*, That on the return into the United States of any fishing vessel, such as is described by the second section of the act, supplementary to the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States,"\* which shall have sailed subsequent to the passage of the last mentioned acts, it shall be the duty of the master and mate to declare, on oath or affirmation, before the collector, whether any part of the fishing fare has been sold during the voyage, and in default of taking such oath or affirmation, the master and mate shall, each, respectively, forfeit and pay one hundred dollars: *Provided*, That the aforesaid oath or affirmation may be dispensed with, so far as relates to the fishery on our own coasts in the customary small vessels.

On the return of any fishing vessel, &c. the master and mate are to declare, on oath, &c. whether or any part of the fishing fare has been sold, &c. or forfeit 100 dolls. each, [\*Amo, ch. 112.]

SECT. 6. *And be it further enacted*, That all penalties and forfeitures incurred by force of this act, shall be sued for, recovered, distributed, and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage,"† passed the second day of March, one thousand seven hundred and ninety-nine, and may be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned,"‡ passed the third of March, one thousand seven hundred and ninety-seven, and made perpetual by an act passed the eleventh of February, one thousand eight hundred.

Provided; the oath may be dispensed with as far as relates to the fishery on our own coasts, &c. The penalties, &c. incurred by force of this act, to be recovered, &c. and may be mitigated, &c. as prescribed by the acts referred to, &c. [† Chap. 129, vol. 3.]

[† Chap. 261, vol. 2.]

SECT. 7. *And be it further enacted*, That the president of the United States be, and he is hereby, authorized, if he shall be satisfied, by a statement or account current, on oath or affirmation, of any citizen or citizens of the United States, and such other proof as the nature of the case will admit or the president may require, that such citizen or citizens have property of value in any port or place without the jurisdiction of the United States, arising from property actually without such jurisdiction prior to the twenty-second day of December last, to grant, on application, permission to such citizen or citizens, to despatch a vessel in ballast to such port or place, for the purpose of importing into the United States such property: *Provided*, That bond, with sufficient security, be given to the United States, under the direction of the secretary of the treasury, in such a sum as he shall deem necessary, with the following conditions, to wit: That such vessel shall not export from the United States any specie, or any goods, wares, or merchandise, of foreign or domestic growth or manufacture, necessary provisions and stores excepted, that

The president, if satisfied, &c. that citizens have property of value in any port out of the jurisdiction of the United States, arising, &c. prior to the 22d of Dec. 1807, authorized to grant them permission to despatch a vessel, &c.

Provided; bond, &c. to be given not to export from the United States any specie or goods, &c.

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Provided, the bond not to be cancelled unless the secretary of the treasury is satisfied, &c. that the conditions have been complied with. Provided, the owners, &c. of such vessels, on their return, to make oath that the vessels had not been employed contrary to the tenor of the bond.

she shall return (reasonable time being allowed for performing the voyage) to the United States with such property, and that she shall not, during the voyage, either directly or indirectly, be engaged in any traffic, freighting, or other employment, and that no goods, wares, or merchandise, shall be imported in such vessel other than the property for which such vessel shall obtain such permission, or the proceeds of property shipped bona fide by a citizen or citizens of the United States prior to the said twenty-second day of December last: *And provided also*, That the bond herein directed to be taken shall not be cancelled, unless the secretary of the treasury be satisfied, either by the oath of the party or parties to the same, or such other proof as the nature of the case will admit, that the conditions of the said bond have been complied with: *And provided further*, That the owner or owners, factor or agent, master and mate, of such vessel, shall, on her return to the United States, make oath or affirmation that such vessel hath not, to the best of their knowledge and belief, during the voyage for which such permission had been granted, either directly or indirectly, been employed in any act contrary to the tenor of such bond. [Approved, March 12, 1808.]

CHAP. 138. [XXXIV.] An act remitting the duties payable on the importation of a monument to be erected in memory of the officers of the United States' navy, who fell during the attack made on the city of Tripoli, in the year one thousand eight hundred and four.\*

[\* Obsolete.]

The duties on the importation of a monument, &c. from Italy, on account of the officers of the United States' navy, remitted.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the duties payable according to law, on the importation of a monument imported in the frigate Constitution, from Italy, on account of the officers of the United States' navy, be, and they are hereby, remitted. [Approved, March 13, 1808.]

CHAP. 139. [XXXV.] An act for erecting a lighthouse on the south point of the island of Sapelo, and for placing buoys and beacons in the shoals of the inlet leading to the town of Darien, and near the entrance of Ipswich harbor, near Plymouth harbor, before the harbor of Nantucket, and on the island of Tuckanuck, at or near the entrance of Connecticut river, and near the entrance of Great Egg Harbor river.

The secretary of the treasury, if land can be obtained at a reasonable price, and the jurisdiction is ceded, to contract for building a lighthouse on the head land of the south point of the island of Sapelo, &c.  
[† See page 606, vol. 1.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, as soon as the jurisdiction of so much of the head land of the south point of the island of Sapelo, in the state of Georgia, as the president of the United States shall deem sufficient for the purpose of erecting a lighthouse and its appertenances, shall have been ceded to the United States,† *Provided*, the said land can be obtained at a reasonable price, it shall be the duty of the secretary of the treasury to provide, by contract, which shall be approved by the president of the United States, for building a lighthouse thereon, and furnishing the same with all necessary

supplies, and also to agree for the salaries or wages of the person or persons who may be appointed, by the president, for the superintendence and care of building the said lighthouse. And the president is hereby authorized to make the said appointment.

SECT. 2. *And be it further enacted*, That the secretary of the treasury be further authorized and directed to cause to be placed four buoys on the shoals called the South and North Banks of the harbor, or entrance, of the inlet leading to the town of Darien.

SECT. 3. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized to cause to be erected and placed beacons and buoys at the following places, to wit: two beacons and three buoys near the entrance of Ipswich harbor; three buoys, one on Gurnet rock, one on Boss rock, and one on Deck's flats, and two beacons on the stony muscle bed, near Plymouth harbor; three additional buoys before the harbor of Nantucket, and a buoy, or leading mark, on the island of Tuckanuck, in the state of Massachusetts; three buoys at or near to the entrance of Connecticut river, and three buoys to be placed at or near the entrance of Great Egg Harbor river, in the state of New Jersey.

SECT. 4. *And be it further enacted*, That there shall be appropriated and paid, out of any moneys in the treasury, not otherwise appropriated, a sum not exceeding eleven thousand five hundred dollars, for the purposes aforesaid.

[Approved, March 17, 1808.]

CHAP. 140. [XXXVI.] An act granting William Wells the right of pre-emption.\*

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The president to appoint a superintendent, &c.

The secretary of the treasury directed to cause to be placed four buoys on the shoals called the South and North Banks of the harbor, &c. of Darien.

The secretary of the treasury authorized to cause to be placed beacons and buoys near the entrance of Ipswich harbor, and the other places mentioned.

Not exceeding 11,500 dollars, appropriated for the purposes of this act.

[\* Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That William Wells shall have the right of pre-emption to three hundred and twenty acres of land, to include his improvements situate at Fort Wayne, in the Indiana territory, at the confluence of the rivers Saint Joseph's and Saint Mary's, which form the Miami of the lake; the boundaries of which shall be designated under the direction of the secretary of the treasury; which tract of land shall be granted to him, at the same price, and on the same terms, for which other public lands are sold at private sale; and the respective instalments of the purchase money shall become due at the same time with those of the first public lands which may be sold in the tract of six miles square, ceded by the treaty of Greenville to the United States, at the confluence of said rivers. [Approved, March 18, 1808.]

William Wells to have the right of pre-emption to 320 acres of land, to include his improvements at Fort Wayne, &c.

The boundaries to be designated by the secretary of the treasury, &c.

The price and terms the same as other public lands sold at private sale, &c.

CHAP. 141. [XXXVII.] An act extending the time for issuing and locating military land warrants.†

[† See act of 19th Dec. 1809, chap. 323, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That

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The secretary of war authorized to issue military land warrants to persons who have, before the 1st of March, 1810, produced satisfactory evidence of their claims. The warrants, &c. may be located in the names of the holders, &c. prior to the 1st of Oct. 1810, &c.

the secretary of war be authorized to issue military land warrants to such persons as have, or shall, before the first day of March, one thousand eight hundred and ten, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued and not yet satisfied, shall and may be located in the names of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and ten, on any unlocated parts of the fifty quarter townships and the fractional quarter townships, reserved by law for original holders of military land warrants. [*Approved, March 21, 1808.*]

CHAP. 142. [XXXVIII.] An act to amend the act, entitled "An act establishing circuit courts, and abridging the jurisdiction of the district courts of the districts of Kentucky, Tennessee, and Ohio."

[\* See orig. act, of 24th Feb. 1807; ante, chap. 71.]

So much of the 3d sec. of the act mentioned, as constitutes the state of Tennessee one district, &c. repealed. [† Ante, ch. 71.]

Tennessee divided into two districts, for holding circuit courts. The limits of the districts the same as those prescribed for East and West Tennessee, &c. On circuit court in each district, annually, to consist of one justice of the supreme court, &c. Sessions of the courts, &c.

[‡ Alter d. See act of 10th March, 1810; ch. 398, post.] Actions, pleas, &c. to be proceeded upon accordingly.

Suits brought in the circuit court of East or West Tennessee, against persons residing in either of those districts, to be proceeded on, and finally determined, in that district where the party resides, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* so much of the second section of the act, entitled "An act establishing circuit courts, and abridging the jurisdiction of the district courts of the districts of Kentucky, Tennessee, and Ohio," passed the twenty-fourth day of February, eighteen hundred and seven, constituting the state of Tennessee one district, for the purpose of holding circuit courts therein, shall be, and is hereby, repealed; and, from and after the passage of this act, the state of Tennessee shall be divided into two districts, for the purpose of holding circuit courts therein; and the limits of the said districts shall be the same as those now prescribed for the districts of East and West Tennessee, in and by the fourth section of the above recited act; and there shall be holden annually, in each of the said two districts, one circuit court, to consist of one justice of the supreme court of the United States and the district judge of the said districts of East and West Tennessee; and the sessions of the said courts shall be held in each of the said districts at Nashville, on the second Monday in June, and at Knoxville, on the third Monday in October, annually; and that all actions, causes, pleas, processes, and other proceedings, relative to any cause, civil or criminal, which shall be returnable to, or depending in, the said circuit court of the United States, to be held at Nashville, on the first Monday of June next, shall be returned, and held continued to, and be proceeded upon, on the second Monday in June next, in the same manner they would have been if this change had not taken place.

SECT. 2. *And be it further enacted, That* where any suit or suits has or have been brought, or is or are now pending, before the circuit court held at Knoxville, in and for the district of East Tennessee, against a person residing in said district of East Tennessee, such suit or suits shall be proceeded upon, and finally determined, in the district of East Tennessee; and where any suit or suits has or have been brought, or is or are now pending, before the circuit court held at Nashville, in and for the district of West Tennessee, against a person residing in the said district

of West Tennessee, such suit or suits shall be proceeded upon and finally determined in the district of West Tennessee.

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SECT. 3. *And be it further enacted*, That it shall be the duty of the district judge of Tennessee to attend at Knoxville, on the first Thursday after the third Monday in April next, and on the first Thursday after the third Monday in April of each and every year thereafter, and at Nashville on the first Thursday after the fourth Monday in November next, and on the first Thursday after the fourth Monday in November of each and every year thereafter, who shall have power to make all necessary orders touching any suit, action, appeal, writ of error, process, pleadings, or proceedings, returned to the circuit court next to be holden thereafter at Knoxville, and Nashville, or depending therein, preparatory to the hearing, trial, or decision, of such action, suit, appeal, writ of error, process, pleadings, or proceedings; and all writs and process may be returnable to the said courts on the first Thursday after the third Monday in April, at Knoxville, and on the first Thursday after the fourth Monday in November, at Nashville, in the same manner as to the sessions of the circuit court, directed to be held by this act in the district of East Tennessee, at Knoxville, and in the district of West Tennessee, at Nashville; and the said writs, returnable to the circuit courts to be held at Knoxville, may also bear teste on the said first Thursday after the third Monday in April; and the writs returnable to the circuit court to be held at Nashville, may bear teste on the first Thursday after the fourth Monday in November, as though a session of the said circuit court was holden on those days at Knoxville and Nashville, respectively.

The district judge to attend at Knoxville and Nashville at the times mentioned; and his power, &c.

Writs, &c. returnable accordingly, &c.

SECT. 4. *And be it further enacted*, That there shall be two clerks appointed, one for the circuit court to be held at Knoxville, and one for the circuit court to be held at Nashville, whose duty it shall be to attend the said district judge on the said first Thursday after the third Monday in April, and on the said first Thursday after the fourth Monday in November, of each and every year, at the places aforesaid, who shall make due entry of all such matters and things as shall or may be ordered by the said judge; and, at each and every of the said sessions, so held for the purpose aforesaid, all actions, pleas, and other proceedings, relative to any cause, civil or criminal, shall, for the circuit court to be held at Nashville, be continued over to the ensuing second Monday in June; and shall, for the circuit court to be held at Knoxville, be continued over to the ensuing third Monday in October.

Two clerks to be appointed, and their duty.

At each of the sessions directed, actions, &c. to be continued over, &c.

SECT. 5. *And be it further enacted*, That all actions, suits, process, pleadings, and other proceedings, of what nature or kind soever, civil or criminal, which were originally returned to the circuit court begun and held at Nashville, on the first Monday in June last; and all writs, process, and proceedings, as aforesaid, which are, may be, made returnable to the said circuit court to be held at Nashville, shall, after the next June term of the circuit court, be continued, returned to, and have day in, the session to be held by this act, on the first Thursday after the

Actions, suits, &c. originally returned to the circuit court held at Nashville on the first Monday in June last, &c. to be continued, returned, &c. to the session to be held by this act, &c.



**1808.** fourth Monday in November next; and all actions, suits, process, pleadings, and other proceedings, of what nature or kind soever, civil or criminal, which were originally returned to the circuit court begun and held at Knoxville, on the third Monday in October last; and all writs, process, and pleadings, as aforesaid, which are or may be made returnable to the said circuit court, shall be continued, returned to, and have day in, the session to be held by this act, on the first Thursday after the third Monday in April next; and such proceedings shall be had thereon, at the said session, as are hereinbefore provided.

[Approved, March 22, 1808.]

CHAP. 143. [XXXIX.] An act authorizing a detachment from the militia of the United States.\*

[\* Expired. See act of 10th April, 1812; chap. 378, post.]

The president authorized, &c. to require the executives of the states and territories to equip and hold in readiness to march, &c. their respective proportions of 100,000 militia, &c. to be apportioned by the president, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the president of the United States be, and he is hereby, authorized, at such times as he shall deem necessary, to require of the executives of the several states and territories, to take effectual measures to organize, arm, and equip, according to law, and hold in readiness to march at a moment's warning, their respective proportions of one hundred thousand militia, officers included, to be apportioned by the president of the United States, from the latest militia returns in the department of war; and in cases where such returns have not been made, by such other data as he shall judge equitable.

The executives may accept, as part of the detachment, any corps of volunteers who shall engage to continue in service six months, &c. The detachment to be officered out of the present militia officers, or others, &c.

SECT. 2. *And be it further enacted, That* the executives of the several states and territories may accept, as part of the said detachment, any corps of volunteers who shall engage to continue in service six months after they arrive at the place of rendezvous.

The president to apportion the general officers, &c.

SECT. 3. *And be it further enacted, That* the detachment of militia and volunteers aforesaid shall be officered out of the present militia officers, or others, at the option and discretion of the constitutional authority in the respective states and territories, the president apportioning the general officers among the respective states and territories, as he may deem proper.

The detachments not compelled to serve longer than six months, &c. and entitled to the same pay, rations, &c. as the army, &c.

SECT. 4. *And be it further enacted, That* the said detachments shall not be compelled to serve a longer time than six months after they arrive at the place of rendezvous; and that, during the time of their service, they shall be entitled to the same pay, rations, and allowance for clothing, as are established by law for the army of the United States.

The president authorized to call into actual service any part, or the whole, of the detachment, &c.

SECT. 5. *And be it further enacted, That* the president of the United States be, and he is hereby, authorized to call into actual service any part, or the whole, of said detachment, when he shall judge that the exigencies of the United States require it; and if a part only of said detachment shall be called into actual service, they shall be taken from such part thereof as the president of the United States shall deem proper.

**SECT. 6.** *And be it further enacted,* That a sum, not exceeding one million of dollars, be, and the same is hereby, appropriated, out of any moneys in the treasury, not otherwise appropriated, for the pay, subsistence, and support, of such part of said detachment as may be called into actual service.

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Not exceeding  
1,000,000 dolls.  
appropriated,  
&c. for the pay,  
subsistence, &c.  
of such part of  
the detachment,  
&c.  
This act to con-  
tinue in force  
until the 30th  
March, 1810.

**SECT. 7.** *And be it further enacted,* That this act shall continue and be in force for the term of two years from the passing thereof, and no longer. [*Approved, March 30, 1808.*]

**CHAP. 144. [XL.]** An act concerning the sale of the lands of the United States, and for other purposes.\*

(\* See, in relation to the 4th sec. of this act, ch. 433, post.)

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, whenever the president of the United States has been, or may be, authorized to cause the public lands, in any land district, to be offered for sale, it shall be lawful, whenever he shall think it convenient, to offer for sale, at first, only a part of the lands contained in such district, and, at any subsequent time or times, to offer for sale, in the same manner, any other part, or the remainder, of the lands contained in the same.

Whenever the president is authorized to cause the public lands, in any district, to be offered for sale, he may direct that only a part be at first offered, &c.

**SECT. 2.** *And be it further enacted,* That the fourth section of an act, passed the twenty-first day of April, one thousand eight hundred and six, entitled "An act in addition to an act, entitled "An act regulating the grants of land, and providing for the disposal of the lands of the United States south of the state of Tennessee,"† be revived, and continued in force until the first day of October next: and in any case where a donation shall be granted in lieu of a pre-emption certificate, agreeable to the provisions of the said fourth section, the money, if any shall have been paid, shall be, by the receiver of the public money, repaid to the person or persons who have paid the same.

The 4th sec. of the act referred to, revived, and continued until the 1st of Oct. 1808, &c.

(† Ante, ch. 40.) Where a donation is granted in lieu of a pre-emption, &c. agreeably to the 4th sec. of the act referred to, the money, &c. to be repaid, &c.

**SECT. 3.** *And be it further enacted,* That certain settlers on the river Mobile, in the Mississippi territory, (east of Pearl river, who reside near the line of demarkation between the United States and Spain, run in pursuance of the treaty of the twenty-seventh day of October, one thousand seven hundred and ninety-five,‡ and whose claims to land has not been decided on according to law) shall be allowed until the first day of October next, to file a notice in writing with the register of the land office, stating the nature and extent of their claims, together with a plat of the tract or tracts claimed; and the said register of the land office, and the receiver of public moneys, are hereby required to hear and determine such claims, according to the several acts of congress "regulating the grants of land, and providing for the disposal of the lands, of the United States south of the state of Tennessee,"§ and to grant certificates in the form heretofore prescribed by the board of commissioners in said district.

Certain settlers on the river Mobile, allowed until the 1st of Oct. 1808, to file notices of their claims, &c.

(‡ See the treaty, page 202, vol. 1.)

The register and receiver required to hear and determine the claims, &c. according to the acts of congress referred to, &c.

(§ Ch. 340, vol. 3.)

**SECT. 4.** *And be it further enacted,* That it shall be the duty of the registers of the land office east and west of Pearl river, in the Mississippi territory, to transmit to the secretary of the

The registers of the land offices east and west of Pearl river to transmit to the

1808.

secretary of the treasury, on or before the 1st of Nov. 1808, a full and fair report of all the claims of certain persons to lands in the Mississippi territory, founded upon British or Spanish warrants, &c. granted prior to the 27th Oct. 1794, not confirmed by former laws, &c. together with the evidence, &c. to be laid before congress, &c.

That part of the lands to which the Indian title was extinguished by treaty with the Choctaw, &c. to be attached to the land district east of Pearl river, &c. together with the evidence, &c. to be laid before congress, &c.

The lands, with the exception of No. 16, &c. and of 1,500 acres confirmed to John McGrew, &c. to be offered for sale, &c. [† See page 351, vol. 1.]

Every person, &c. being the head of a family, or above 21 years, and who, before the 3d of March, 1807, actually inhabited, &c. a tract of land in the Mississippi territory, &c. allowed until the 1st of Oct. 1808, to obtain permission to remain, according to the provisions of the act mentioned, &c. [‡ Ch. 101, ante.]

The right of the United States to two town lots in Natchez, be, and the same is hereby, forever vested in the corporation of that city, &c.

When the claims of persons having a right of pre-emption, in either of the districts east or west of Pearl river, interfere, &c. the register and receiver are to regulate the locations, &c.

treasury of the United States, on or before the first day of November next, a full and fair report of all the claims of certain persons to lands in the Mississippi territory, founded upon British or Spanish warrants, or orders of survey, granted prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, not confirmed by former laws regulating the grants of lands in said territory, which have heretofore been regularly filed with the register of the land office aforesaid, together with the evidence in support of such claims, respectively, and to be by him laid before congress at their next ensuing session. And the land contained in such warrants or orders of survey shall not be disposed of until otherwise directed by law.

SECT. 5. *And be it further enacted*, That that part of the lands to which the Indian title was extinguished by the treaty with the Choctaw nation, made on Mount Dexter, in the year one thousand eight hundred and five,\* lying on the east of Pearl river, shall be attached to the land district east of Pearl river; and that the residue of the lands to which the Indian title was extinguished by said treaty, shall be attached to the land district west of Pearl river; and the said lands shall, with the exception of section number sixteen, which shall be reserved in each township for the use of schools within the same, and also with the exception of fifteen hundred acres of land, which is hereby confirmed to John McGrew, in compliance with the fourth article of said treaty,† be offered for sale under the same regulations, at the same prices, and on the same terms, as other lands lying within the said district.

SECT. 6. *And be it further enacted*, That every person, and the legal representatives of every person, who, being either the head of a family, or above the age of twenty-one years, who did, before the third day of March, one thousand eight hundred and seven, actually inhabit and cultivate a tract of land in the Mississippi territory, belonging to the United States, shall be allowed until the first day of October next, to obtain permission to remain on such tract or tracts of land, according to the provisions of the act, entitled "An act to prevent settlements being made on lands ceded to the United States until authorized by law,"‡ and the person or persons obtaining such permission shall be entitled to all the benefits, rights, and privileges, granted by law to those who obtained the same prior to the first day of January, one thousand eight hundred and eight.

SECT. 7. *And be it further enacted*, That the right of the United States to two town lots, lying and being in the city of Natchez, be, and the same is hereby, forever vested in the corporation of the said city, so as not to affect the legal or equitable claims of any individuals, or of any body politic or corporate, if any such there be.

SECT. 8. *And be it further enacted*, That whenever the claims of persons having a right of pre-emption, in either of the districts east or west of Pearl river, shall interfere with each other, the register and receiver of public moneys are hereby authorized, in their respective districts, so to regulate their locations as to prevent such interference. [Approved, March 31, 1808.]

CHAP. 145. [XLI.] An act further to prolong the continuance of the mint at Philadelphia.\*

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[\* Obsolete. See act of 3d Dec. 1813; chap. 467, post.]

The act concerning the mint, &c. revived, and continued in force until the 4th March, 1813. [† Chap. 249, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the act, entitled "An act concerning the mint,"† approved March the third, one thousand eight hundred and one, is hereby revived, and continued in force and operation for the further term of five years after the fourth day of March, one thousand eight hundred and eight. [Approved, April 1, 1808.]*

CHAP. 146. [XLII.] An act authorizing the sale of public arms.‡

[§ Obsolete]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States be, and he is hereby, authorized to cause to be sold to individual states who may wish to purchase, any arms now owned by the United States, and which may be parted with without injury to the public: Accounts of such sales shall be laid before congress, and the money arising therefrom be, and the same is hereby, appropriated, under the direction of the president of the United States, to the purchase or manufacture of other arms for the use of the United States: Provided, That such arms be not delivered to any state or their agents, until the payment of the purchase money be first made into the treasury of the United States, in money, or in the stock of the United States, at its value, as established by an act, entitled "An act to repeal so much of any act or acts as authorize the receipt of evidences of the public debt in payment for the lands of the United States, and for other purposes relative to the public debt:"§ Provided also, That this provision shall not extend to any purchase, not exceeding five thousand stand of arms, which shall be made by a state to which the United States, by existing engagements, are bound to pay a sum of money, equal to the amount of such purchase.*

The president to cause arms owned by the United States to be sold to individual states, &c.

Accounts of sales to be laid before congress, and the money appropriated to the purchase of other arms, &c.

Provido; the arms not to be delivered to any state until the payment of the purchase money, &c.

[§ Ante, ch. 59.] Provido; the preceding proviso not to extend to any purchase, &c. made by a state to which the United States are bound to pay a sum of money, &c.

[Approved, April 2, 1808.]

CHAP. 147. [XLIII.] An act to raise, for a limited time, an additional military force.||

[|| See the note at the end of chap. 700, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That, in addition to the present military establishment of the United States, there be raised five regiments of infantry, one regiment of riflemen, one regiment of light artillery, and one regiment of light dragoons, to be enlisted for the term of five years, unless sooner discharged.*

5 regts. of infantry, 1 of riflemen, 1 of light artillery, and 1 of light dragoons, to be enlisted, for 5 years, in addition to the present military establishment.

SECT. 2. *And be it further enacted, That the said regiments of infantry, riflemen, and artillery, shall consist of ten companies each, and the regiment of light dragoons of eight troops; and*

Organization of the regiments, &c.

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the field and staff officers of each regiment, of one colonel, one lieutenant colonel, one major, one adjutant, one quartermaster, one paymaster, one surgeon, one surgeon's mate, one sergeant major, one quartermaster sergeant, two principal musicians, and, for the regiment of light dragoons, one riding master; each company of infantry and riflemen to consist of one captain, one first and one second lieutenant, one ensign, two cadets, four sergeants, four corporals, two musicians, and sixty-eight privates; each company of artillery of one captain, one first and one second lieutenant, two cadets, four sergeants, four corporals, two musicians, eight artificers, and fifty-eight matrosses; and each troop of light dragoons of one captain, one first and one second lieutenant, one cornet, two cadets, four sergeants, four corporals, two musicians, one saddler, one farrier, and sixty-four privates.

When, &c. a suitable proportion of the troops have been raised, two additional brigadier generals may be appointed, &c.

SECT. 3. *And be it further enacted*, That when, in the opinion of the president of the United States, a suitable proportion of the troops authorized by this act shall be raised, there may be appointed two additional brigadier generals, who shall be entitled to one aid de camp each, to be taken from the subalterns of the line; two brigade inspectors, and two brigade quartermasters; and such number of hospital surgeons, and surgeon's mates, as the service may require, but not exceeding five surgeons and fifteen mates, with one steward, and one wardmaster to each hospital; the brigade inspectors appointed under this act shall be taken from the line; and the brigade quartermasters, the adjutants, regimental quartermasters, and paymasters, from the subalterns of the line.

Pay and rations of the officers, cadets, noncommissioned officers, musicians, artificers, and privates, &c.

SECT. 4. *And be it further enacted*, That the compensation of the officers, cadets, noncommissioned officers, musicians, artificers, and privates, authorized by this act, shall be, viz: to each brigadier general, one hundred and four dollars per month, twelve rations per day, or an equivalent in money, and sixteen dollars per month for forage, when not furnished by the public: each brigade inspector, thirty dollars per month, in addition to his pay in the line; each brigade quartermaster and aid de camp, twenty dollars, and each adjutant, regimental quartermaster, and paymaster, ten dollars per month, in addition to their pay in the line; and to each six dollars per month for forage, when not furnished as aforesaid; each hospital surgeon, seventy-five dollars per month, six rations per day, or an equivalent in money, and twelve dollars per month for forage, when not furnished as aforesaid; each hospital surgeon's mate, forty dollars per month, two rations per day, or an equivalent in money, and six dollars per month for forage, when not furnished as aforesaid; each hospital steward, twenty dollars per month, and two rations per day, or an equivalent in money; each wardmaster, sixteen dollars per month, and two rations per day, or an equivalent in money; to the colonel of light dragoons, ninety dollars per month, six rations per day, and forage for five horses; to the lieutenant colonel of light dragoons, seventy-five dollars per month, five rations per day, and forage for four horses; to the major of light dragoons, sixty dollars per month, four rations per day, and forage for four

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horses; to each captain of light dragoons, fifty dollars per month, three rations per day, and forage for three horses; to each lieutenant of light dragoons, thirty-three and one-third dollars per month, two rations per day, and forage for two horses; to each cornet of light dragoons, twenty-six and two-thirds dollars per month, two rations per day, and forage for two horses; to the riding master, twenty-six and two-thirds dollars per month, two rations per day, and forage for two horses; each saddler and farrier, ten dollars per month, one ration per day, and a suit of uniform clothing annually; and all other officers, cadets, noncommissioned officers, musicians, artificers, and privates, authorized by this act, shall receive the like pay, clothing, rations, forage, and other emoluments, as the officers, cadets, noncommissioned officers, musicians, artificers, and privates, of the present military establishment: *Provided*, The officers, and riding master, furnish their own horses and accoutrements, and actually keep in service the aforesaid number of horses, to entitle them to the foregoing allowance for forage, or its equivalent in money: *And provided also*, That the whole, or any part, of the regiment of light dragoons, shall be liable to serve on foot, as light infantry, until, by order of the president of the United States, horses and accoutrements shall be provided to equip the whole, or any part thereof, as mounted dragoons.

*Proviso*; the officers and riding master to furnish their own horses, &c.

*Proviso*; the regiment of light dragoons liable to serve on foot, as light infantry, &c.

**SECT. 5.** *And be it further enacted*, That the officers, cadets, noncommissioned officers, musicians, artificers, and privates, raised pursuant to this act, shall be entitled to the like compensation, in case of disability by wounds, and otherwise, incurred in the service, as the officers, cadets, noncommissioned officers, musicians, artificers, and privates, in the present military establishment, and with them, shall be subject to the rules and articles of war, which have been established, or may be hereafter by law established: And that the provisions of the act, entitled "*An act fixing the military peace establishment of the United States*,"\* relative to the widow, child, or children, of any commissioned officer who shall die, while in the service of the United States, by reason of any wound received in actual service of the United States, to courts martial, the regulation and compensation of recruiting officers, the age, size, qualifications, and bounties, of recruits, arrears of pay, the bonds and duties of paymasters, penalties for desertion, punishment of persons who shall procure or entice any soldier to desert, or shall purchase from any soldier his arms, uniform clothing, or any part thereof; and the punishment of any commanding officer of any ship or vessel who shall receive on board of his ship or vessel, as one of his crew, knowing him to have deserted, or otherwise carry away, any such soldier, or shall refuse to deliver him up to the orders of his commanding officer, to the oath or affirmation to be taken and subscribed by officers, noncommissioned officers, musicians, and privates, to the allowance for extra expense to any commissioned officer in travelling and sitting on general courts martial, to arrests of noncommissioned officers, musicians, and privates, for debts, to the allowance to soldiers discharged from service, ex-

The officers, cadets, noncommissioned officers, musicians, artificers, and privates, raised pursuant to this act, entitled to like compensation, in case of disability, &c. as officers, &c. of the present military establishment, and subject to the rules and articles of war, &c. The provisions of the act fixing the military peace establishment, &c. applicable to the persons, matters, and things, within the intent and meaning of this act, &c. [\* Chap. 299, vol. 3.]

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Subsistence of the officers, &c. estimated at 20 cents per ration.

One chaplain to each brigade, with the pay and emoluments of a major, &c.

The president may appoint the officers in the recess, except the general officers, &c.

Every commissioned and staff officer to be a citizen, &c.

cept by way of punishment, shall be in force, and applied to all persons, matters, and things, within the intent and meaning of this act, in the same manner as if they were inserted at large in the same.

SECT. 6. *And be it further enacted*, That the subsistence of the officers of the army, when not received in kind, shall be estimated at twenty cents per ration.

SECT. 7. *And be it further enacted*, That there shall be appointed to each brigade one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

SECT. 8. *And be it further enacted*, That, in the recess of the senate, the president of the United States is hereby authorized to appoint all or any of the officers, other than the general officers, proper to be appointed under this act; which appointments shall be submitted to the senate, at the next session, for their advice and consent.

SECT. 9. *And be it further enacted*, That every commissioned and staff officer, to be appointed in virtue of this act, shall be a citizen of the United States, or some one of the territories thereof. [Approved, April 12, 1808.]

[\* Obsolete.]

CHAP. 148. [XLIV.] An act to authorize the transportation of certain documents by mail, free of postage.\*

Members of congress, the secretary of the senate, and clerk of the house, authorized to transmit, free of postage, the message of the president and documents specified, to any post office within the United States, &c.

The secretary of the senate and clerk of the house to send, by mail, the printed copies of the message and documents remaining after congress adjourns, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the members of congress, the secretary of the senate, and the clerk of the house of representatives, be, and they are hereby, authorized to transmit, free of postage, the message of the president of the United States, of the twenty-second day of March, one thousand eight hundred and eight, and the documents accompanying the same, and the documents accompanying the message of the president of the United States, of the thirtieth of March, printed by order of the senate and house of representatives, to any post office within the United States, and territories thereof, to which they may, respectively, direct; and it shall be a duty of the secretary of the senate, and of the clerk of the house of representatives, to send by the mail, the printed copies of the same message and documents, or any part thereof, that may remain after congress shall adjourn, and the same shall be conveyed free of postage, as aforesaid, conformably to the directions of the members of each house of congress, respectively; any law to the contrary notwithstanding.

[Approved, April 13, 1808.]

[† Private and obsolete.]

CHAP. 149. [XLV.] An act for the relief of the legal representatives of Thomas Barclay, deceased.†

The proper accounting officers of the treasury authorized to li-

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the proper accounting officers of the treasury be, and they are

hereby, authorized to liquidate and settle the account of Thomas Barclay, deceased, and that they allow for his services, while he acted as vice consul in France, a salary at the rate of one thousand dollars per annum: and that while he acted as consul, commercial agent, commissioner of public accounts in Europe, and was engaged in negotiating the treaty concluded with the emperor of Morocco, in one thousand seven hundred and eighty-seven, they allow a salary at the rate of three thousand three hundred and thirty-three and one-third dollars per annum, exclusive of his expenses; and that, in the adjustment of his account with the public, which originated in consequence of his second mission, they credit him with the amount of goods purchased to take with him to Morocco, according to the letters of David Humphreys, esq. (formerly minister from the United States to the court of Spain,) to the secretary of state, and the invoices and memorandums transmitted by that minister to the government; and that they pay the balance, with interest, to the legal representatives of the said Thomas Barclay, out of any moneys in the treasury, not otherwise appropriated.

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liquidate and settle the account of Thomas Barclay, &c. and allow for his services at the rates of compensation mentioned, &c.

[Approved, April 18, 1808.]

CHAP. 150. [XLVI.] An act to continue in force, for a further time, an act, entitled "An act for the more effectual preservation of peace in the ports and harbors of the United States, and in the waters under their jurisdiction."

[\* Obsolete. See orig. act, of 3d March, 1808; ch. 455, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the act, entitled "An act for the more effectual preservation of peace in the ports and harbors of the United States, and in the waters under their jurisdiction,"† passed on the third day of March, in the year of our Lord one thousand eight hundred and five, be, and the same hereby is, continued in force for the term of two years, and from thence to the end of the next session of congress, and no longer. [Approved, April 19, 1808.]

The act for the more effectual preservation of peace in the ports and harbors of the United States continued until the 3d March, 1811. [† Chap. 455, vol. 3.]

CHAP. 151. [XLVII.] An act to revive and continue in force "An act declaring the assent of congress to certain acts of the states of Maryland and Georgia."

[† Obsolete. See orig. act, of 17th March, 1800; ch. 150, vol. 3. See ch. 648, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the act, which passed the seventeenth day of March, in the year one thousand eight hundred, entitled "An act declaring the assent of congress to certain acts of the states of Maryland and Georgia,"§ be, and the same is hereby, revived, and continued in force until the third day of March, one thousand eight hundred and fourteen. [Approved, April 20, 1808.]

The act declaring the assent of congress to certain acts of Maryland and Georgia, revived, and continued until the 3d of March, 1814.



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## CHAP. 152. [XLVIII.] An act concerning public contracts.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* from and after the passage of this act, no member of congress shall, directly or indirectly, himself, or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, undertake, execute, hold or enjoy, in the whole or in part, any contract or agreement hereafter to be made or entered into with any officer of the United States, in their behalf, or with any person authorized to make contracts on the part of the United States; and if any member of congress shall, directly or indirectly, himself, or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, enter into, accept of, agree for, undertake or execute, any such contract or agreement, in the whole or in part, every member so offending shall, for every such offence, upon conviction thereof, before any court of the United States, or of the territories thereof, having cognizance of such offence, be adjudged guilty of a high misdemeanor, and shall be fined three thousand dollars; and every such contract or agreement as aforesaid shall, moreover, be absolutely void and of no effect: *Provided, nevertheless, That* in all cases where any sum or sums of money shall have been advanced on the part of the United States, in consideration of any such contract or agreement, the same shall be forthwith repaid; and in case of refusal or delay to repay the same, when demanded, by the proper officer of the department under whose authority such contract or agreement shall have been made or entered into, every person so refusing or delaying, together with his surety or sureties, shall be forthwith prosecuted at law for the recovery of any such sum or sums of money advanced as aforesaid.

After the 31st of April, 1808, no member of congress, either directly or indirectly, to undertake, in whole or in part, any contract, &c. with the United States, &c.

Any member of congress entering into any contract, &c. contrary to the provisions of this act, liable to a fine of \$3,000 dollars, and the contract void, &c.

Proviso; sums of money advanced on the part of the United States, to be repaid, or prosecuted for, &c.

Nothing herein to extend to any contract, &c. entered into by any incorporated company, for the general benefit, &c. nor to the purchase or sale of bills of exchange, &c.

In every contract, &c. an express condition to be inserted that no member of congress shall be admitted, &c.

Any officer of the United States, in their behalf, entering into a contract with a member of congress, except, &c. liable to a fine of \$3,000 dollars, &c.

SECT. 2. *And be it further enacted, That* nothing herein contained shall extend, or be construed to extend, to any contract or agreement, made, or entered into, or accepted, by any incorporated company, where such contract or agreement shall be made for the general benefit of such incorporation or company; nor to the purchase or sale of bills of exchange, or other property, by any member of congress, where the same shall be ready for delivery, and for which payment shall be made at the time of making or entering into the contract or agreement.

SECT. 3. *And be it further enacted, That* in every such contract or agreement, to be made, or entered into, or accepted, as aforesaid, there shall be inserted an express condition that no member of congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise thereupon.

SECT. 4. *And be it further enacted, That* if any officer of the United States, on behalf of the United States, shall, directly or indirectly, make or enter into any contract, bargain, or agreement, in writing or otherwise, other than such as are herein excepted, with any member of congress, such officer so offending, on conviction thereof before any court having jurisdiction thereof, shall be deemed and taken to be guilty of a high misdemeanor, and be fined in a sum of three thousand dollars.

**SECT. 5.** *And be it further enacted, That, from and after the passing of this act, it shall be the duty of the secretary of the treasury, secretary of war, secretary of the navy, and the postmaster general, annually, to lay before congress a statement of all the contracts which have been made in their respective departments, during the year preceding such report, exhibiting in such statement the name of the contractor, the article or thing contracted for, the place where the article was to be delivered, or the thing performed, the sum to be paid for its performance or delivery, the date and duration of the contract.*

[Approved, April 21, 1808.]

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After the first of April, 1808, the secretaries of the treasury, war, and navy, and the postmaster general, to lay before congress annually, a statement of all contracts made in their departments during the preceding year, &c.

**CHAP. 153. [XLIX.]** An act for the relief of Matthew Smith and Darius Gates, jointly, and Darius Gates, separately.\*

[\* Private and obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized to liquidate and settle the account of Matthew Smith and Darius Gates, and that they allow them the principal sum of money paid to the United States for two tracts of land lying in the town of East Haddam, in the state of Connecticut, purchased by the said Matthew Smith and Darius Gates, jointly, of the United States, through the marshal of the district of Connecticut, who was fully authorized to sell the same, and from which lands the said purchasers were regularly evicted by due course of law, together with the amount of costs by them expended in defending the titles of the United States to said lands, with interest on the whole sum that may appear to be due.*

The proper accounting officers of the treasury authorized to liquidate and settle the account of Matthew Smith and Darius Gates, and allow them the principal sum of money paid for two tracts of land in the town of East Haddam, &c. with costs and interest, &c.

**SECT. 2.** *And be it further enacted, That the aforesaid accounting officers be, and they are hereby, authorized to liquidate and settle the account of Darius Gates, and allow him the principal sum of money paid to the United States for two tracts of land, lying in the aforesaid town and state, purchased by the said Darius Gates of the United States, through the marshal aforesaid, who was fully authorized to sell the same, and from which lands the said purchaser was evicted by due course of law, together with the amount of cost by him expended in defending the title of the United States to said lands, with interest on the whole sum that may appear to be due.*

The accounting officers also to settle the account of Darius Gates, and allow him the principal sum paid for two tracts of land, &c.

**SECT. 3.** *And be it further enacted, That the sums which may be found due to the aforesaid purchasers of the lands aforesaid, be paid out of any moneys in the treasury, not otherwise appropriated.* [Approved, April 21, 1808.]

The sums so due to be paid out of the treasury, &c.

**CHAP. 154. [L.]** This is an act relating entirely to the district of Columbia.  
See act of 18th April, 1814; sec. 1, chap. 657, post.

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CHAP. 155. [LI.] An act to continue in force an act, entitled "An act to extend jurisdiction in certain cases to state judges and state courts," and for other purposes.\*

[\* See orig. act, 31<sup>st</sup> March, 1805; ante, chap. 14.]

The act to extend jurisdiction, &c. to state judges and state courts, continued in force, without limitation of time.

[† Ante, ch. 14.]

The provisions of the act to extend jurisdiction, &c. extended to the county courts within and adjoining the revenue districts in Ohio, &c.

[† Ante, ch. 14.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the act, entitled "An act to extend jurisdiction in certain cases to state judges and state courts,"† passed the eighth day of March, one thousand eight hundred and six, be, and the same is hereby, continued in force without limitation of time.

SECT. 2. *And be it further enacted,* That the several provisions of the abovementioned act, entitled "An act to extend jurisdiction in certain cases to state judges and state courts,"‡ be, and the same are hereby, extended to the respective county courts within, or next adjoining, the revenue districts in the state of Ohio, on lake Erie, and to the district attorney of the United States for the district of Ohio.

[Approved, April 21, 1808.]

CHAP. 156. [LII.] An act to authorize the president of the United States, under certain conditions, to suspend the operation of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and the several acts supplementary thereto.§

[§ Obsolete. See act of 1<sup>st</sup> March, 1809; sec. 10, ch. 19, post.]

In the event of peace, or of such changes in the measures of the belligerent powers of Europe affecting neutral commerce, as may render that of the United States safe, &c. the president is authorized, in the recess of congress, to suspend the act laying an embargo, &c.

Provido; the suspension not to extend beyond ten days after the next meeting of congress.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, in the event of such peace or suspension of hostilities between the belligerent powers of Europe, or of such changes in their measures affecting neutral commerce, as may render that of the United States sufficiently safe, in the judgment of the president of the United States, he is hereby authorized, during the recess of congress, to suspend, in whole or in part, the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and the several acts supplementary thereto, under such exceptions and restrictions, and on such bond and security being given, as the public interest and circumstances of the case may appear to require: *Provided,* such suspension shall not extend beyond twenty days after the next meeting of congress.

[Approved, April 22, 1808.]

CHAP. 157. [LIII.] An act to alter the time for the next meeting of congress.

[This act provides that the next meeting of congress shall be on the first Monday of November, 1808. *Approved, April 22, 1808.*]

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etc.]

CHAP. 158. [LIV.] An act for the relief of Philip Turner.||

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the treasury be, and they hereby are

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authorized and directed to liquidate and settle the account of Philip Turner, late hospital physician and surgeon, and that they allow him the commutation equal to the half pay of a captain, agreeably to a resolution of congress, passed on the seventeenth day of January, one thousand seven hundred and eighty-one: \* *Provided*, the said Philip Turner, on the receipt of the money directed to be paid him by this act, shall execute, in consideration thereof, a discharge to the United States of all demands whatsoever, and deposite the same in the office of the register of the treasury. [Approved, April 22, 1808.]

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ed to liquidate and settle the account of Philip Turner, late hospital physician and surgeon, and allow him commutation equal to the half pay of a captain, &c.  
[\* See page 688, vol. 1.]  
Provido; Philip Turner to execute a discharge to the United States of all demands, &c.

CHAP. 159. [LV.] An act making provision for arming and equipping the whole body of the militia of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the annual sum of two hundred thousand dollars be, and the same hereby is, appropriated for the purpose of providing arms and military equipments for the whole body of the militia of the United States, either by purchase or manufacture, by and on account of the United States.

The annual sum of 200,000 dollars appropriated to provide arms, &c. for the whole body of the militia, &c.

SECT. 2. *And be it further enacted*, That the president of the United States be, and he hereby is, authorized to purchase sites for, and erect, such additional arsenals and manufactories of arms as he may deem expedient, under the limitations and restrictions now provided by law: *Provided also*, That so much of any law as restricts the number of workmen in the armories of the United States to one hundred men, be, and the same hereby is, repealed.†

The president authorized to purchase sites and erect additional arsenals and manufactories of arms, &c. *Provido*; any law restricting the number of workmen in the armories to 100, repealed.  
[† See sec. 3, ch. 100, vol. 2.]  
The arms procured in virtue of this act to be transmitted to the several states and territories, in proportion to the number of effective militia, &c.

SECT. 3. *And be it further enacted*, That all the arms procured in virtue of this act shall be transmitted to the several states composing this union, and territories thereof, to each state and territory, respectively, in proportion to the number of the effective militia in each state and territory, and by each state and territory to be distributed to the militia in such state and territory, under such rules and regulations as shall be by law prescribed by the legislature of each state and territory.

[Approved, April 23, 1808.]

CHAP. 160. [LVI.] An act to establish certain post roads in the states of Georgia and Ohio.‡

[‡ Repealed. Supplied by act of 23th April, 1810; chap. 288, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the following post roads be established, viz: From Darien, by John Jones', to Milledgeville, and from thence to Athens. From Sparta to Milledgeville, and from thence, by Jones's Courthouse, to the Garrison on Oakmulgee. From Milledgeville to Putnam Courthouse, and from thence to Morgan Courthouse, and to Randolph Courthouse. From New Lisbon to Canton, in Ohio.

The post roads mentioned, established.

[Approved, April 23, 1808.]

1808.

[Obsolete.]

CHAP. 161. [LVII.] An act making an appropriation to supply a deficiency in an appropriation for the support of government during the present year, and making an appropriation for defraying the expenses incident to the valuation of houses and lands, and the enumeration of slaves, within the United States.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* to make good a deficiency in the appropriation for the contingent expenses of both houses of congress, authorized by the act of the tenth of February last, the further sum of seven thousand dollars be, and the same hereby is, appropriated.

A further sum of 7,000 dollars, appropriated, to make good a deficiency in the appropriation for the contingent expenses of congress, &c.

Not exceeding \$401 dollars, 37 cents, &c. appropriated for defraying the expenses incident to the valuation of houses and lands, &c.

SECT. 2. *And be it further enacted, That* a sum not exceeding five thousand four hundred and one dollars and twenty-seven cents, the balance of a former appropriation to that amount, for that object, having been carried to the credit of the surplus fund, to be paid out of any moneys in the treasury, not otherwise appropriated, be, and the same is hereby, appropriated, for defraying the further expenses incident to the valuation of houses and lands, and the enumeration of slaves, within the United States.

[Approved, April 23, 1808.]

CHAP. 162. [LVIII.] An act concerning invalid pensioners.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the secretary of war be, and he is hereby, directed to place the following named persons, whose claims have been transmitted to congress, pursuant to a law passed the tenth of April, one thousand eight hundred and six,† on the pension list of invalid pensioners of the United States, according to the rates, and to commence at the times, herein mentioned; that is to say:

The secretary of war directed to place the persons named, on the pension list of invalid pensioners, according to the rates, &c. mentioned. [† See ante, Chap. 35.]

Names of persons, &c. to be placed, by the secretary of war, on the pension list, &c.

Thomas Lamar Davis, at the rate of two dollars and fifty cents per month, to commence on the twenty-ninth day of December; one thousand eight hundred and seven.

Albert Chapman, at the rate of ten dollars per month, to commence on the seventeenth day of October, one thousand eight hundred and seven.

Ambrose Homan, at the rate of two dollars and fifty cents per month, to commence on the fifteenth day of December, one thousand eight hundred and six.

Richard Scott, at the rate of two dollars and fifty cents per month, to commence on the fifth day of October, one thousand eight hundred and seven.

Francis Blood, at the rate of five dollars per month, to commence on the sixteenth day of December, one thousand eight hundred and six.

Jonas Green, at the rate of five dollars per month, to commence on the eighth day of October, one thousand eight hundred and seven.

William Green, at the rate of eight dollars per month, to commence on the seventh day of February, one thousand eight hundred and seven.

**Seth Weed**, at the rate of six dollars per month, to commence **1808.**  
on the seventh day of October, one thousand eight hundred and Names of invalid  
pensioners, &c.  
seven.

**Samuel Lathrop**, at the rate of five dollars per month, to commence on the twenty-second day of September, one thousand eight hundred and seven.

**Peter Smith**, at the rate of four dollars per month, to commence on the sixteenth day of July, one thousand eight hundred and six.

**William Johnson**, at the rate of two dollars and fifty cents per month, to commence on the first day of April, one thousand eight hundred and seven.

**James Houston**, at the rate of fifteen dollars per month, to commence on the thirteenth day of July, one thousand eight hundred and seven.

**Jedediah Hyde**, at the rate of fifteen dollars per month, to commence on the third day of August, one thousand eight hundred and seven.

**Samuel Nesbit**, at the rate of five dollars per month, to commence on the eighteenth day of October, one thousand eight hundred and seven.

**Shepherd Packard**, at the rate of three dollars per month, to commence on the seventh day of February, one thousand eight hundred and seven.

**Richard Kisby**, at the rate of four dollars per month, to commence on the twenty-fourth day of March, one thousand eight hundred and seven.

**Jonathan Wilkins**, at the rate of two dollars and fifty cents per month, to commence on the twenty-sixth day of March, one thousand eight hundred and seven.

**Waterman Baldwin**, at the rate of five dollars per month, to commence on the twenty-fifth day of October, one thousand eight hundred and seven.

**John Clark**, at the rate of eight dollars per month, to commence on the fifteenth day of December, one thousand eight hundred and seven.

**John Venus**, at the rate of two dollars and fifty cents per month, to commence on the eleventh day of December, one thousand eight hundred and seven.

**John Holcombe**, at the rate of fifteen dollars per month, to commence on the first day of December, one thousand eight hundred and seven.

**Richard Steads**, at the rate of four dollars per month, to commence on the ninth day of December, one thousand eight hundred and seven.

**Alexander Jones**, at the rate of three dollars thirty-three and one-third cents per month, to commence on the nineteenth day of June, one thousand seven hundred and eighty-four.

**Benjamin Saddler**, at the rate of three dollars per month, to commence on the first day of January, one thousand eight hundred and three.

1908.  
 Names of inmates  
 prisoners, &c.

**Benjamin Jenkins**, at the rate of two dollars and fifty cents per month, to commence on the sixteenth day of September, one thousand eight hundred and seven.

**William Scott**, at the rate of twenty-five dollars per month, to commence on the twelfth day of March, one thousand eight hundred and seven.

**James Bruff**, at the rate of twenty dollars per month, to commence on the seventeenth day of August, one thousand eight hundred and seven.

**Nathan Taylor**, at the rate of ten dollars per month, to commence on the nineteenth day of February, one thousand eight hundred and eight.

**Aaron Stevens**, at the rate of ten dollars per month, to commence on the twenty-fourth day of February, one thousand eight hundred and eight.

**Simon Morgan**, at the rate of twenty dollars per month, to commence on the second day of March, one thousand eight hundred and eight.

**Jonathan Patch**, at the rate of five dollars per month, to commence on the eleventh day of July, one thousand eight hundred and six.

**Ebenezer Rowe**, at the rate of five dollars per month, to commence on the sixteenth day of January, one thousand eight hundred and seven.

**Benjamin Kendrick**, at the rate of three dollars thirty-three and one-third cents per month, to commence on the first day of January, one thousand seven hundred and eighty-six.

**Nicholas Hoff**, at the rate of five dollars per month, to commence on the twenty-second day of February, one thousand eight hundred and eight.

**Samuel Shaw**, at the rate of eight dollars per month, to commence on the thirteenth day of February, one thousand eight hundred and eight.

**Nicholas Lott**, at the rate of two dollars and fifty cents per month, to commence on the twenty-third day of January, one thousand eight hundred and eight.

**Humphrey Becket**, at the rate of two dollars and fifty cents per month, to commence on the eighth day of January, one thousand eight hundred and eight.

**Silas Parrot**, at the rate of six dollars per month, to commence on the tenth day of February, one thousand eight hundred and eight.

**Jared Hinkley, junior**, at the rate of two dollars and fifty cents per month, to commence on the nineteenth day of January, one thousand eight hundred and eight.

**Francis Davidson**, at the rate of four dollars per month, to commence on the sixteenth day of January, one thousand eight hundred and eight.

**Andrew Waggoner**, at the rate of twenty dollars per month, to commence on the second day of November, one thousand eight hundred and seven.

George Richardson, at the rate of four dollars per month, to commence on the tenth day of February, one thousand eight hundred and eight. 1808  
Names of invalid pensioners, &c.

William Wallace, at the rate of eight dollars per month, to commence on the thirtieth of January, one thousand eight hundred and eight.

Joseph Bird, at the rate of four dollars per month, to commence on the twenty-ninth day of January, one thousand eight hundred and eight.

John St. John, at the rate of five dollars per month, to commence on the twenty-ninth day of January, one thousand eight hundred and eight.

Abner Snow, at the rate of three dollars and seventy-five cents per month, to commence on the twenty-seventh day of January, one thousand eight hundred and eight.

Aaron Crane, at the rate of two dollars and fifty cents per month, to commence on the third day of November, one thousand eight hundred and seven.

James Hawkley, at the rate of five dollars per month, to commence on the sixth day of January, one thousand eight hundred and eight.

Elijah Morse, at the rate of four dollars per month, to commence on the sixth day of January, one thousand eight hundred and eight.

John Van Anglen, at the rate of fifteen dollars per month, to commence on the third day of November, one thousand eight hundred and seven.

James Boden, at the rate of two dollars and fifty cents per month, to commence on the twenty-eighth day of March, one thousand eight hundred and eight.

Isaac Burnham, at the rate of four dollars per month, to commence on the first day of January, one thousand eight hundred and three.

Benjamin Hillman, at the rate of ten dollars per month, to commence on the fourteenth day of March, one thousand eight hundred and eight.

Silas Pierce, at the rate of ten dollars per month, to commence on the seventh day of March, one thousand eight hundred and eight.

Randal M'Allastor, at the rate of five dollars per month, to commence on the seventh day of March, one thousand eight hundred and eight.

John Durnal, at the rate of three dollars per month, to commence on the seventh day of April, one thousand eight hundred and eight.

Jabez Church, at the rate of two dollars and fifty cents per month, to commence on the twenty-second day of February, one thousand eight hundred and eight.

Thomas Machen, at the rate of ten dollars per month, to commence on the nineteenth day of March, one thousand eight hundred and eight.



1808.

**Sum of several  
pensions, &c.**

The pensions of  
the persons  
named, &c. to be  
increased, as  
specified.

[\* See note,  
chap. 36.]

**David Richey**, at the rate of two dollars and fifty cents per month, to commence on the second day of April, one thousand eight hundred and eight.

**SECT. 2.** *And be it further enacted*, That the pensions of the following persons, already placed on the pension list of the United States, whose claims for an increase of pension have been transmitted to congress, pursuant to the act aforesaid,\* be increased to the sums herein, respectively, annexed to their names, the said increase to commence at the times herein mentioned; that is to say:

**James Campbell**, four dollars per month, to commence on the twenty-fifth day of September, one thousand eight hundred and seven.

**John Beardsley, jun.** five dollars per month, to commence on the thirteenth day of November, one thousand eight hundred and seven.

**Thomas Bristol**, five dollars per month, to commence on the twenty-second day of October, one thousand eight hundred and seven.

**Josiah Smith**, five dollars per month, to commence on the twenty-ninth day of December, one thousand eight hundred and seven.

**Joseph Ware**, five dollars per month, to commence on the twenty-ninth day of December, one thousand eight hundred and seven.

**Daniel Buck**, five dollars per month, to commence on the seventeenth day of December, one thousand eight hundred and seven.

**Lemuel King**, five dollars per month, to commence on the twenth-third day of December, one thousand eight hundred and seven.

**William Wallace**, five dollars per month, to commence on the seventeenth day of November, one thousand eight hundred and seven.

**Joseph Saunders**, five dollars per month, to commence on the seventh day of February, one thousand eight hundred and seven.

**William Hastings**, five dollars per month, to commence on the eleventh day of February, one thousand eight hundred and seven.

**Joshua Lovejoy**, five dollars per month, to commence on the fifth day of June, one thousand eight hundred and seven.

**Isaac Higgins**, three dollars thirty-three and one-third cents per month, to commence on the twenty-ninth day of September, one thousand eight hundred and seven.

**Reuben Dow**, fifteen dollars per month, to commence on the nineteenth day of February, one thousand eight hundred and seven.

**Joseph Harrup**, five dollars per month, to commence on the fifteenth day of September, one thousand eight hundred and seven.

**David Ranney**, five dollars per month, to commence on the fifth day of November, one thousand eight hundred and seven.

John Whitborn, five dollars per month, to commence on the thirtieth day of September, one thousand eight hundred and seven. 1808.

Names of persons whose pensions have been increased.

Richard Sherman, five dollars per month, to commence on the eighth day of October, one thousand eight hundred and seven.

Noah Sinclair, three dollars and seventy-five cents per month, to commence on the eighth day of October, one thousand eight hundred and seven.

Nathaniel Church, five dollars per month, to commence on the eighth day of October, one thousand eight hundred and seven.

Gershom Clarke, five dollars per month, to commence on the first day of January, one thousand eight hundred and eight.

John M'Kinstry, twelve dollars per month, to commence on the seventh day of December, one thousand eight hundred and seven.

Ebenezer Perkins, five dollars per month, to commence on the fifteenth of September, one thousand eight hundred and seven.

Henry Ten Eyck, fifteen dollars per month, to commence on the twenty-first day of November, one thousand eight hundred and seven.

Thomas Simpson, thirteen dollars thirty-three and one-third cents, to commence on the twenty-fourth day of December, one thousand eight hundred and six.

John Rybecker, four dollars per month, to commence on the eighteenth day of April, one thousand eight hundred and seven.

Lemuel Dean, five dollars per month, to commence on the eighth day of October, one thousand eight hundred and seven.

Thomas Johnson, five dollars per month, to commence on the seventeenth day of April, one thousand eight hundred and seven.

Levi Chubbuck, three dollars and seventy-five cents per month, to commence on the twentieth day of June, one thousand eight hundred and seven.

George Walter, two dollars and fifty cents per month, to commence on the twenty-fourth day of February, one thousand eight hundred and eight.

Samuel Rosseter, five dollars per month, to commence on the thirtieth day of January, one thousand eight hundred and eight.

Jeremiah Prichard, thirteen dollars thirty-three and one-third cents per month, to commence on the sixth day of January, one thousand eight hundred and eight.

Abner Gage, five dollars per month, to commence on the twenty-sixth day of January, one thousand eight hundred and eight.

John Devoe, five dollars per month, to commence on the thirtieth day of January, one thousand eight hundred and eight.

Nathaniel Bradley, five dollars per month, to commence on the twenty-sixth day of January, one thousand eight hundred and eight.

Thaddeus Seely, two dollars and fifty cents per month, to commence on the ninth day of January, one thousand eight hundred and eight.

John Herron, two dollars and fifty cents per month, to commence on the twenty-sixth day of January, one thousand eight hundred and eight.

1808.

Names of persons whose pensions have been increased.

**Peter Nevius**, four dollars per month, to commence on the seventeenth day of February, one thousand eight hundred and eight.

**John Hampton**, six dollars per month, to commence on the seventeenth day of February, one thousand eight hundred and eight.

**Rosswell Woodworth**, five dollars per month, to commence on the twenty-third day of March, one thousand eight hundred and eight.

**David Hulbell**, five dollars per month, to commence on the nineteenth day of March, one thousand eight hundred and eight.

**John M'Koy**, five dollars per month, to commence on the fifteenth day of March, one thousand eight hundred and eight.

**Caleb Hunt**, five dollars per month, to commence on the fifth day of March, one thousand eight hundred and eight.

**Henry Gates**, five dollars per month, to commence on the ninth day of March, one thousand eight hundred and eight.

**David Hall**, five dollars per month, to commence on the twelfth day of February, one thousand eight hundred and eight.

**Jonah Cook**, five dollars per month, to commence on the fourth day of April, one thousand eight hundred and eight.

**William Nelson**, to five dollars per month, to commence on the twenty-second day of January, one thousand eight hundred and eight.

The secretary of war directed to place on the pension list of the United States all persons who remain on the pension list of the states, and who were placed thereon in consequence of disability, &c. during the revolutionary war, &c. *Provido*; the pensions allowed, &c. not to exceed the sums specified by the 6th sec. of the act referred to. [*Ante*, ch. 24.]

*Provido*; in every case where application is made, &c. satisfactory documents from the proper officers of the state must be adduced, &c.

**SECT. 3.** *And be it further enacted*, That the secretary of war be, and he is hereby, authorized and directed to place on the pension list of the United States, all persons who now remain on the pension list of any of the states, and who were placed on the same in consequence of disability occasioned by known wounds received during the revolutionary war, whether such person or persons served in the land or sea service of the forces of the United States, or of any particular state, in the regular corps, or the militia, or as volunteers: *Provided*, That in no case the pensions allowed to such person or persons shall exceed the sums specified by the sixth section of an act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war,"\* passed the tenth day of April, one thousand eight hundred and six: *And provided*, That in every case where application shall be made to have such person or persons placed on the pension list of the United States, under this law, satisfactory documents, from the proper officers of the state, shall be adduced to establish the fact of such person or persons' having been placed on the state pension list in consequence of disability occasioned by known wounds received during the revolutionary war.

Any officer, non-commissioned officer, musician, or private, wounded or disabled since the revolutionary war, &c. may be placed on the pension list at such rate of compensation, &c.

**SECT. 4.** *And be it further enacted*, That any officer, non-commissioned officer, musician, or private, who has been wounded or disabled since the revolutionary war, while in the line of his duty, in the actual service of the United States, whether he belong to the military establishment or the militia, or any volunteer corps, called into service under the authority of the United States, may be placed on the pension list of the United States,

at such rate of compensation, and under such regulations, as are prescribed by the act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war,"\* passed April the tenth, one thousand eight hundred and six. 1808.  
as prescribed by  
the act referred  
to.  
[Ante, ch. 24.]

SECT. 5. *And be it further enacted,* That the pensioners, becoming such in virtue of this act, shall be paid in the same manner as invalid pensioners are paid who have heretofore been placed on the pension list of the United States, under such restrictions and regulations, in all respects, as are prescribed by the laws of the United States in such cases provided. Pensioners in  
virtue of this act  
to be paid in the  
same manner as  
invalid pension-  
ers heretofore  
placed on the  
list, &c.

[Approved, April 25, 1808.]

CHAP. 163. [LIX.] An act for the relief of George Hunter.†

[† Private and  
obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officers be authorized to examine and settle the accounts of George Hunter, of Philadelphia, and in the said settlement to allow him a credit for such quantity of saltpetre, the property of the United States, delivered to him for the purpose of being purified, as shall be made appear to have been destroyed by fire in his warehouse. The proper ac-  
counting officers  
authorized to  
examine and set-  
tle the accounts  
of George Hun-  
ter, and allow  
him for  
saltpetre, the  
property of the  
United States,  
made appear to  
have been de-  
stroyed by fire,  
&c.

[Approved, April 25, 1808.]

CHAP. 164. [LX.] An act to authorize and empower the president of the United States to exchange certain lands, for other lands more suitable for fortification.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he hereby is, authorized and empowered to cause the lands in Portland, whereon the fort and battery now stand, and the lands at Ocracock and Old Topsail inlets, in North Carolina, acquired with a view to erecting fortifications, to be exchanged for other lands more suitable for fortification, and the protection of Portland, in the district of Maine, and Ocracock, and Old Topsail inlet, in North Carolina. The president  
authorized to  
cause the lands  
in Portland, and  
at Ocracock and  
Old Topsail in-  
lets, acquired  
with a view to  
erecting fortifi-  
cations, to be ex-  
changed for  
other lands more  
suitable, &c.

[Approved, April 25, 1808.]

CHAP. 165. [LXI.] An act to make Plymouth, in North Carolina, a port of entry, to change the name of the district of Nanjemoy to that of St. Mary's, and to make Augusta, in the district of Maine, a port of delivery.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the thirtieth day of June next, a district shall be formed out of the district of Edenton,‡ in North Carolina, to be called the district of Plymouth, which shall include and com- The district of  
Plymouth form-  
ed out of the dis-  
trict of Eden-  
ton, &c.  
[§ See sec. 12,  
ch. 124, vol. 3.]

1808.

*By which the  
port of entry, &c.*

*A collector, to  
reside at Ply-  
mouth; his com-  
missions, &c.*

*The district of  
Nanjemoy to be  
called the district  
of St. Mary's,  
&c.*

*[\* See sec. 10,  
ch. 138, vol. 3.]*

*A surveyor at  
Nanjemoy, with  
a salary, &c.*

*Annexed to  
Maine, to be a  
port of delivery,  
and annexed to  
the district of  
Bath, &c.  
[\* See sec. 9,  
ch. 138, vol. 3.]*

*A surveyor at  
Augusta, with a  
salary, &c.*

prehend the rivers Roanoke and Cashie, and all the waters, creeks, and harbors, belonging thereto. The town of Plymouth shall be the port of entry and delivery; and Windsor and Skewarky ports of delivery. A collector for the district shall be appointed, to reside and keep his office at the town of Plymouth, who shall be entitled to receive three per cent. commissions on all moneys by him received on account of the duties arising on goods, wares, and merchandise, imported into the said district, and on the tonnage of ships and vessels, and the other emoluments and fees of office established by law.

SECT. 2. *And be it further enacted*, That, from and after the thirtieth day of June next, the district of Nanjemoy,\* in the state of Maryland, shall be called the district of St. Mary's, and the collector shall reside at St. Mary's river, which shall be the port of entry and delivery for said district, and Nanjemoy a port of delivery only, to which a surveyor shall be appointed, who shall be entitled, in addition to the fees and emoluments already allowed by law, to receive a salary of one hundred and fifty dollars.

SECT. 3. *And be it further enacted*, That the town of Augusta, in the district of Maine, shall be, and the same is hereby, constituted a port of delivery, to be annexed to the district of Bath,† and subject to the same regulations and restrictions as other ports of delivery in the United States; and there shall be appointed a surveyor, to reside at the said port of delivery, who shall be entitled to receive a salary of one hundred and fifty dollars, annually, in addition to the other emoluments allowed by law. [Approved, April 25, 1808.]

[† Obsolete.]

CHAP. 166. [LXII.] An act making appropriations for the support of an additional military force, for the year one thousand eight hundred and eight.‡

*Sums appropri-  
ated for defray-  
ing the expense,  
to the 1st Jan.  
1808, of the  
troops to be  
raised under the  
act authorizing  
an additional  
military force.  
[§ Aine, ch. 147.]*

*For pay.*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for defraying the necessary expense to the first day of January next, of the troops to be raised by virtue of an act, entitled "An act to raise, for a limited time, an additional military force,"§ passed on the twelfth day of April, one thousand eight hundred and eight, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

For pay, two hundred and eighty-five thousand nine hundred and twenty dollars.

*For forage.*

For forage, eighteen thousand four hundred and seventy-nine dollars.

*For subsistence.*

For subsistence, two hundred and thirteen thousand six hundred and ninety-six dollars.

*For clothing.*

For clothing, one hundred and fifty thousand five hundred and twenty-eight dollars.

*For bounties and premiums.*

For bounties and premiums, eighty-five thousand one hundred and twenty dollars.

*For the medical  
and hospital de-  
partments.*

For the medical and hospital departments, fifteen thousand dollars.

**For camp equipage, tents, barracks, fuel, and transportation, 1808.**  
 one hundred and eleven thousand dollars.  
**For contingencies, ten thousand dollars.**  
**For ordnance, sixty thousand dollars.**  
**For the purchase of horses, and other expenses necessary to**  
 mount the cavalry, thirty-six thousand seven hundred and twenty dollars.

**SECT. 2.** *And be it further enacted,* That the several sums, herein specifically appropriated, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, April 25, 1808.]

**CHAP. 167. [LXIII.]** An act authorizing the secretary of the treasury to pay to the comptroller of the treasury, in trust, the amount of certain bills drawn by John Armstrong, minister from the United States to the court of France, on treasury of the United States.\*

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he is hereby, authorized and directed to pay into the hands of the comptroller of the treasury of the United States, the amount, in cash, of the bills drawn by John Armstrong, minister from the United States to the court of France, on the treasurer of the United States, in favor of Nathan Freres, Denton, and Hall, pursuant to a liquidation made by the government of France under the convention concluded between the United States and the French government, on the thirtieth day of April, in the year one thousand eight hundred and three;† and also, the amount of the bills drawn by the aforesaid minister on the said treasurer of the United States, in favor of Joseph Sands, pursuant to a liquidation made under the convention aforesaid; which sums, so paid to the comptroller, shall be held by him in trust, to pay and satisfy such persons, and in such proportions, as shall be adjudged or decreed by the courts hereafter specified: and the said sums shall be by the comptroller deposited in the office of discount and deposite in the city of Washington, for safe keeping, until such judgments or decrees shall take place.

**SECT. 2.** *And be it further enacted,* That all suits or proceedings at law, or in equity, to establish claims against, or recover the whole or any part of the sum so deposited on account of, the bills drawn in favor of Nathan Freres, Denton, and Hall, shall be commenced on or before the first day of November next, in the circuit court of the fourth circuit, holden in the district of Maryland; and all suits or proceedings, at law or in equity, to establish claims against, or to recover, the whole or any part of the sum so deposited on account of the bills drawn in favor of Joseph Sands, shall be commenced on or before the day aforesaid, in the circuit court of the second circuit, holden in the district of New York, or in the circuit court of the district of Columbia, to be held for Washington county, in said district; and

The sums appropriated to be paid out of an appropriated message in the treasury.

[\* Obsolete.]

The secretary of the treasury directed to pay into the hands of the comptroller the amount, in cash, of the bills drawn by John Armstrong, minister from the United States, in favor of Nathan Freres, Denton, and Hall, and in favor of Joseph Sands, pursuant to a liquidation made under the French convention, &c.  
 [† See the convention, page 169, vol. 1.]  
 The sums paid to the comptroller to be held in trust, to satisfy persons, &c. as may be adjudged by the courts specified, &c.

All suits, &c. to recover on the bills in favor of Nathan Freres, Denton, and Hall; to be commenced by the 1st of Nov. 1808, in the circuit court for the 4th circuit:  
 And all suits, &c. to recover, &c. on the bills in favor of Joseph Sands, to be commenced also by the 1st Nov. 1808, in the circuit court of the 2d circuit, or, &c.

1808.

Either party aggrieved, &c. may remove the case to the supreme court, &c.

Whenever a final judgment or decree shall be entered up, &c. the comptroller is to direct the cashier of the office of discount and deposits to pay the amount recovered to the party entitled.

any, or either, party aggrieved by the judgment or decree of either of the said courts, may remove the same to the supreme court of the United States, in the same manner, and on the same terms and conditions, as appeals and writs of error are now prosecuted from the said courts.

SECT. 3. *And be it further enacted*, That whenever a final judgment or decree shall be entered up by either of the said courts, in favor of any person or persons who may have established a right or claim to the whole, or any part, of the said sums, so paid to the comptroller, and deposited in virtue of this law, the said comptroller shall direct the cashier of the said office of discount and deposits to pay the amount recovered to the party or persons entitled under such judgment or decree, so rendered by the said courts. [Approved, April 25, 1808.]

[\* Private and obsolete.]

CHAP. 168. [LXIV.] An act for the relief of Joseph Chase, Jared Gardner, and others.\*

The owners of the Manilla, &c. permitted to cause that ship to return to the United States, with her cargo, without being liable to forfeiture, &c. in consequence of having gone to St. Domingo under a clearance obtained before the act continuing the suspension of trade with certain parts of that island was known at Nantucket.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the owners of the ship Manilla, belonging to Joseph Chase and Jared Gardner and others, of the island of Nantucket, in the state of Massachusetts, be, and they are hereby, permitted to cause to return to the United States the said ship Manilla, and her cargo, without being liable to any forfeiture or penalty, incurred in consequence of the said ship's having gone to the island of St. Domingo, under a clearance obtained on the seventh day of March, one thousand eight hundred and seven, before the act of the twenty-fourth of February, one thousand eight hundred and seven, continuing the suspension of trade with certain parts of the said island of St. Domingo, was known in the said island of Nantucket.

[Approved, April 25, 1808.]

[† Obsolete.]

CHAP. 169. [LXV.] An act to make good a deficit in the appropriation of eighteen hundred and seven, for completing the public buildings; and for other purposes.†

Additional sums appropriated for making good a deficit of appropriation for 1807, &c.

For making good the deficit of 1807, &c.

For completing the wall of the president's square, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in addition to the appropriations already made, the following sums of money be, and the same are hereby, appropriated, to be applied, under the direction of the president of the United States, to the purposes hereinafter mentioned; that is to say:

For making good the deficit of eighteen hundred and seven, including the debt due from the public offices, fifty-one thousand five hundred dollars.

For completing the wall of the president's square, planting the ground, so as to close this part of the expenditure, building a solid flight of steps to the principal door, and minor expenses, fourteen thousand dollars.

For carrying up, in solid work, the interior of the north wing, 1808.

comprising the senate chamber, twenty-five thousand dollars.

For executing the work deficient in the interior of the south wing, and for painting, eleven thousand five hundred dollars.

SECT. 2. *And be it further enacted*, That the several sums of money hereby appropriated, shall be paid out of any money in the treasury, not otherwise appropriated.

[Approved, April 25, 1808.]

For carrying up the interior of the north wing, &c.  
For executing work in the interior of the south wing, &c.  
The sums appropriated to be paid out of unappropriated money in the treasury.

CHAP. 170. [LXVI.] An act in addition to the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States," and the several acts supplementary thereto, and for other purposes.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, during the continuance of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, no vessel of any description whatever, and wherever bound, whose employment is confined to the navigation of bays, sounds, rivers, and lakes, within the jurisdiction of the United States, (packets, ferry boats, and vessels exempted from the obligation of giving any bond whatever, only excepted) shall be allowed to depart from any district of the United States, without having previously obtained a clearance, nor until the master or commander shall have delivered to the collector or surveyor of the port of departure a manifest of the whole cargo on board, including articles of domestic growth or manufacture, as well as foreign merchandise. And it shall also be the duty of the owners, agents, or master, of every such vessel, to produce, within two months thereafter, to the collector of the district from which the vessel departed, a certificate of the landing of the whole of such cargo, in a port of the United States, within the bay, sound, rivers, or lakes, to which the navigation of such vessel is confined, signed by the collector or surveyor of the port where the cargo shall have been landed.

[\* Repealed. See act of 1st March, 1809; sec. 19, chap. 196, post. Orig. act, ante, chap. 109.]

During the continuance of the act laying an embargo, &c. no vessel of any description, &c. confined to the navigation of bays, sounds, &c. except, &c. allowed to depart without clearance, nor until the master has delivered a manifest, &c.

The owners, &c. to produce to the collector, within two months, a certificate of the landing of the whole of the cargo in a port of the United States, &c.

SECT. 2. *And be it further enacted*, That, during the continuance of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and of the several acts supplementary thereto, no ship or vessel of any description whatever, other than those described in the next preceding section, and wherever bound, shall receive a clearance, unless the lading shall be made hereafter under the inspection of the proper revenue officers, subject to the same restrictions, regulations, penakies, and forfeitures, as are provided by law for the inspection of goods, wares, and merchandise, imported into the United States, upon which duties are imposed, any law to the contrary notwithstanding: *Provided*, That nothing herein contained shall be construed to affect vessels laden, in whole or in part, on the receipt of this act by the respective collectors.

During the continuance of the act laying an embargo, &c. no vessel, other than those described, &c. to receive a clearance, unless the lading is made under the inspection of the proper revenue officers, &c.

Provide; nothing herein to affect vessels laden on the receipt of this act, &c.

SECT. 3. *And be it further enacted*, That if any vessel described in the first section, shall depart from any district of the Uni-

From 1,000 to 5,000 dolls. forfeit if vessels



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described in the first section of this act depart from any district of the United States without a clearance, &c.

Provido; nothing herein to prevent the recovery of the penalty on the bond, &c.

During the continuance of the act laying an embargo, &c. masters of vessels, boats, &c. intended to enter the Mississippi between the southern boundary of the Territory, &c. and the Iberville, if going down, &c. to stop at fort Adams, if going up to stop at Iberville, and to deliver at each place a manifest; and also to produce, within the times mentioned, a certificate of the landing of the cargo in some part of the district of Mississippi, &c.

The owners, &c. to forfeit from \$1,000 to \$5,000, if any vessel, boat, &c. enters the Mississippi, as prescribed in the next preceding section, without stopping and delivering a manifest, &c.

During the continuance of the act laying an embargo, &c. no vessel to be allowed to depart from one port to another of the United States, adjacent to the territories of a foreign nation, without the special permission of the president. If any vessel proceeds to a port adjacent to

ted States without a clearance, or before the manifest of the cargo shall have been delivered to the collector or surveyor, in the manner therein prohibited, or if a certificate of the landing of the cargo shall not be produced, within the time and in the manner therein provided, such vessel and cargo shall be forfeited, and the owner or owners, consignee, agent, factors, freighters, master, or skipper, of such vessel, shall, respectively, forfeit and pay a sum not exceeding five thousand dollars, nor less than one thousand dollars: *Provided always*, That nothing herein contained shall be construed to bar or prevent the recovery of the penalty on the bond given for such vessel.

SECT. 4. *And be it further enacted*, That, during the continuance of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and of the several acts supplementary thereto, it shall be the duty of the master, or person having charge or command of any vessel, flat, or boat, intended to enter that part of the river Mississippi which lies between the southern boundary of the Mississippi territory and the river Iberville, if going down the said river to stop at fort Adams, and if going up the river to stop at Iberville, and at each place, as the case may be, to deliver to an inspector of the revenue, to be stationed there for that purpose, a manifest of the whole cargo on board, and also to produce to the same officer, within two months thereafter if going down the river, and within six months thereafter if going up the river, a certificate of the landing of the same in some part of the district of Mississippi, and within the jurisdiction of the United States, which certificate shall be signed by the collector, or one of the surveyors, of the district of Mississippi; or, if the cargo shall be landed more than thirty miles from the place of residence of any such officer, by a state or territorial judge, having jurisdiction at the place of such landing.

SECT. 5. *And be it further enacted*, That if any vessel, flat, or boat, shall enter that part of the river Mississippi as prescribed in the next preceding section, without stopping and delivering a manifest in the manner therein provided, or if a certificate of the landing of the cargo shall not be produced within the time, and in the manner, therein provided, such vessel, flat, or boat, and cargo, shall be forfeited, and the owner or owners, consignee, agent, factors, freighters, master, or skipper, of such vessel, flat, or boat, shall, respectively, forfeit and pay a sum not exceeding five thousand dollars, nor less than one thousand dollars.

SECT. 6. *And be it further enacted*, That no ship or vessel having any cargo whatever on board, shall, during the continuance of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, be allowed to depart from any port of the United States, for any other port or district of the United States, adjacent to the territories, colonies, or provinces, of a foreign nation; nor shall any clearance be furnished to any ship or vessel, bound as aforesaid, without special permission of the president of the United States. And if any ship or vessel shall, contrary to the provisions of this act, proceed to any port

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or district adjacent to the territories, colonies, or provinces, of a foreign nation, such ship or vessel, with her cargo, shall be wholly forfeited; and if the same shall not be seized, the owner, owners, agents, factors, and freighters, of such ship or vessel, shall, for every such offence, forfeit and pay double the value of such ship and cargo; and the master and commander of such ship or vessel, as well as all other persons, who shall knowingly be concerned in such prohibited voyage, shall each, respectively, forfeit and pay not exceeding three thousand dollars, nor less than five hundred dollars, for every such offence, whether the vessel be seized or not.

SECT. 7. *And be it further enacted*, That the commanders of the public armed vessels and gun boats of the United States shall, as well as the commanders or masters of the revenue cutters, and revenue boats, be authorized, and they are hereby authorized, to stop and examine any vessel, flat, or boat, belonging to any citizen of the United States, either on the high seas, or within the jurisdiction of the United States, or any foreign vessel within the jurisdiction of the United States, which there may be reason to suspect to be engaged in any traffic or commerce, or in the transportation of merchandise, of either domestic or foreign growth or manufacture, contrary to the provisions of this act, or of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or of any of the acts supplementary thereto; and if, upon examination, it shall appear that such vessel, flat, or boat, is thus engaged, it shall be the duty of the commander to seize every such vessel, flat, or boat, and to send the same to the nearest port of the United States for trial.

SECT. 8. *And be it further enacted*, That the comptroller of the treasury be, and he hereby is, authorized to remit the duties accruing on the importation of goods of domestic produce, or which, being of foreign produce, had been exported without receiving a drawback, which may have been, or may be, reimported in vessels owned by citizens of the United States, and which, having sailed subsequent to the first day of October last, and prior to the twenty-second day of December last, may be, or have been, stopped on the high seas by foreign armed vessels, and by reason thereof have returned, or may hereafter return, into the United States. And the said comptroller is likewise authorized to direct the exportation bonds, given for foreign merchandise exported with privilege of drawback, in such vessel, and reimported in the same, in the manner aforesaid, to be cancelled, the duties on such reimportation being previously paid, and on such other conditions and restrictions as may be necessary for the security of the revenue.

SECT. 9. *And be it further enacted*, That, during the continuance of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, no foreign ship or vessel shall go from one port in the United States to another; and should any foreign ship or vessel, contrary to this section, go from one port of the United States to another, the vessel, with her cargo, shall be wholly forfeited, and the owner or owners, agent, factors, freighters, and master, of such ship or vessel, shall forfeit

the territories, &c. of a foreign power, &c. with her cargo, is forfeited; and if the vessel is not seized, the owner, &c. forfeits double the value, &c. The master, &c. knowingly concerned in the prohibited voyage to forfeit from \$500 to \$3,000 dolls. whether the vessel is seized or not. Commanders of public armed vessels authorized to stop and examine vessels belonging to citizens, &c. when suspected to be engaged in traffic, &c. contrary to the provisions of this act, &c.

The comptroller of the treasury authorized to remit the duties accruing on the importation of goods of domestic produce, or, &c. reimported in vessels owned by citizens, and which, having sailed subsequent to the 1st of Oct. and prior to the 22d of Dec. 1807, may be stopped on the high seas by foreign armed vessels, &c. The comptroller authorized to direct the exportation bonds, &c. to be cancelled, the duties being previously paid, &c.

During the continuance of the act laying an embargo, &c. no foreign vessel to go from one port in the United States to another; if they do, the vessel and cargo are forfeited, and the owners, &c. to pay

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from 1,000 to \$,000 dulla.  
No vessel, &c. comprehended in this act to pay more than 20 cents for each clearance.

The collectors of the customs are authorized to detain any vessel ostensibly bound to some other port, &c. until the decision of the president be had, &c.

If unusual deposits of provisions, lumber, &c. of domestic growth, &c. are made in any of the ports of the United States adjacent to the territories, &c. of a foreign nation, the collector is authorized to take them into custody until bond, &c. have been given, &c.

Any vessel owned by a citizen, &c. loaded with produce of the United States, before the act laying an embargo was passed, and detained by that act, &c. permitted to proceed to any other port of the United States, &c.

Penalties and forfeitures incurred by force of this act, may be mitigated and remitted in the manner prescribed by the act mentioned, &c.

Penalties and forfeitures, &c. to be distributed according to the acts mentioned, [Chap. 361, vol. 3.]

[Chap. 187, vol. 3.]

[Chap. 128, vol. 3.]

Nothing in the act laying an embargo, &c. or in the act to prohibit the importation of certain goods, &c. to prevent the exportation, &c. of furs and peltries, &c. or the importation, &c.

and pay a sum, not exceeding three thousand dollars, nor less than one thousand dollars.

SECT. 10. *And be it further enacted*, That no vessel, flat, or boat, comprehended in this act, shall be obliged to pay more than twenty cents for each clearance.

SECT. 11. *And be it further enacted*, That the collectors of the customs be, and they are hereby, respectively, authorized to detain any vessel ostensibly bound with a cargo to some other port of the United States, whenever, in their opinions, the intention is to violate or evade any of the provisions of the acts laying an embargo, until the decision of the president of the United States be had thereupon.

SECT. 12. *And be it further enacted*, That if any unusual deposits of provisions, lumber, or other articles of domestic growth or manufacture, shall have been, or shall be made, in any of the ports of the United States, adjacent to the territories, colonies, or provinces, of a foreign nation, the collector of the district shall be, and he hereby is, authorized to take the same in his custody, and not to permit such articles to be removed until bond, with sufficient sureties, shall have been given for the landing or delivery of the same in some port or place of the United States.

SECT. 13. *And be it further enacted*, That any ship or vessel owned by a citizen or citizens of the United States, loaded, or in part loaded, with the produce of the United States, before the act laying an embargo was passed, and by said act detained in any port of the United States, may be permitted to proceed to any other port of the United States, and there to remain with such cargo on board, subject to such other restrictions and bonds as are prescribed in the act laying an embargo, and the several supplementary acts thereto.

SECT. 14. *And be it further enacted*, That all penalties and forfeitures, incurred by force of this act, may be mitigated and remitted in the manner prescribed by the act, entitled "An act to provide for mitigating and remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned;"\* and all penalties and forfeitures which may be recovered in pursuance of this act, in consequence of any seizure made by the commander of any public armed vessel of the United States, shall be distributed according to the rules prescribed by the act, entitled "An act for the government of the navy of the United States;"† and all other penalties and forfeitures arising under this act, shall be distributed in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage."‡

SECT. 15. *And be it further enacted*, That nothing in the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or in the several acts supplementary thereto, or in the act to prohibit the importation of certain goods, wares, and merchandise, shall be construed to prevent the exportation, by land or inland navigation, from the territories of the United States into those of Great Britain, of furs and peltries,

the property of subjects of Great Britain, and by them purchased from the Indians, or to prevent the importation, by land or inland navigation, from the territories of Great Britain into those of the United States, of merchandise, the property of British subjects, and by them imported solely for the use of the Indians aforesaid.\* [Approved, April 25, 1808.]

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of merchandise, the property of British subjects, purchased from, or intended for, the Indians.

[\* See pages 307, 308, vol. 1.]

CHAP. 171. [LXVII.] An act supplemental to "An act regulating the grants of land in the territory of Michigan."†

[† See orig. act, of 3d March, 1807; ante, chap. 89.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That every person claiming lands within that part of the Michigan territory to which the Indian title hath been extinguished, by virtue of any legal grant made by the French government prior to the treaty of Paris, of the tenth of February, one thousand seven hundred and sixty-three; or of any legal grant made by the British government subsequent to the said treaty, and prior to the treaty of peace between the United States and Great Britain, of the third of September, one thousand seven hundred and eighty-three, or of the second section of the act to which this act is a supplement, shall be allowed until the first day of January next, to deliver to the register of the land office for the district of Detroit, a notice in writing, stating the nature and extent of his claims, together with a plat or plats of the tract or tracts claimed; and if such person shall fail to deliver such notice in writing, together with a plat of the tract claimed, all his right, so far as it may be derived from any act of congress, shall become void: And the commissioners appointed for the purpose of ascertaining and deciding the rights of persons claiming lands in the said district of Detroit, shall have the same powers, and perform the duties, in relation to the claims, notices of which shall be thus filed, as are provided by the act to which this act is a supplement, in relation to the claims therein described.

Persons claiming lands within the territory of Michigan, &c. by virtue of legal grants made by the French government prior to the treaty of Paris, of the 10th Feb. 1763, or of any legal grant made by the British government subsequent to that treaty, and prior to the treaty of peace, of 3d Sept. 1783, or of the 3d sec. of the act referred to, allowed until the 1st Jan. 1808, to deliver to the register notices in writing, &c.

SECT. 2. *And be it further enacted,* That every person whose claim has been, or shall be, confirmed by the commissioners aforesaid, to a tract of land bordering on the river Detroit, and not exceeding, in depth, forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of, his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land that which is contained in his own tract, at the same price, and on the same terms and conditions, as are provided by law for the other public lands in the said district. And the surveyor general shall be, and he is hereby, authorized, as soon as may be, to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where, by reason of bends in the said river, and of adjacent prior or pre-emption claims, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land, applicable to that

Persons whose claims have been confirmed by the commissioners, &c. to a tract of land bordering on the Detroit, not exceeding 40 arpens in depth, to be entitled to a preference in becoming purchasers of any vacant tract adjacent, not exceeding 40 arpens in depth, &c. The surveyor general authorized to cause the tracts claimed by virtue of this section to be surveyed, &c.

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Persons entitled to the benefit of this section, to deliver to the register, &c. on or before the 1st of Jan. 1809, a notice in writing, &c. produce a two-ipt, &c. [P See chap. 344, post.]

The right of persons failing, &c. to become void.

Every person, being the head of a family, who, prior to the 30th March, 1804, did, and, at the time of passing this act, doth, inhabit and cultivate a tract not claimed by virtue of a legal French or British grant, &c. entitled to a preference in becoming a purchaser, &c.

Persons entitled to the benefit of this section to deliver, on or before the 1st Jan. 1809, a notice in writing, &c. The commissioners, &c. authorized to examine and decide the claims under this section, &c. give certificates, &c.

The right of persons failing, &c. to cease. [† See ante, sec. 3, chap. 39.]

So much of the 3d sec. of the act referred to, as provides that not more than one tract shall be granted to one person, repealed. [1 Ch 39, ante.] [3 See the treasury, page 414, vol. 1.]

The lands to which the Indian title has been extinguished.

object, between the several claimants, in such manner as to him will appear most equitable.\* And every person entitled to the benefit of this section shall, on or before the first day of January next, deliver to the register of the land office for the district of Detroit, a notice in writing, stating the situation and extent of the tract of land he wishes to purchase, and deposite, at the same time, one-twentieth part of the purchase money; and shall also, within three months after the return of the survey to the office of the said register, produce to him a receipt from the receiver of public money for the said district, for one-fourth part of the purchase money. And if any such person shall fail to deliver such notice, and make such deposite and payment, at the times above mentioned, his right of pre-emption shall cease and become void.

SECT 3. *And be it further enacted*, That every person who, being the head of a family, did, prior to the twenty-sixth of March, one thousand eight hundred and four, and doth, at the time of the passage of this act, inhabit and cultivate a tract of land in the territory of Michigan, not claimed by virtue of a legal French or British grant, or by the second section of the act to which this act is a supplement, shall be entitled to a preference in becoming the purchaser from the United States of such tract of land, not exceeding one section, at the price at which the other public lands in the said territory are directed to be sold; and payment may be made therefor in the same manner, and under the same conditions, as are provided by law for such other public lands. And every person entitled to the benefit of this section shall, on or before the first day of January next, deliver to register of the land office, for the district aforesaid, a notice in writing, of the situation and extent of the tract of land he wishes to purchase. The commissioners aforesaid are hereby authorized to examine and decide the claims of every person claiming the benefit of this section, and whenever it shall appear to them that the claimant is entitled to a right of pre-emption, they shall give a certificate thereof, directed to the register of the land office; which certificate, together with a receipt from the receiver of public money, of at least one-fourth part of the purchase money, shall, on or before the first day of January next, be produced, by the claimant, to the register of the land office for the said district. And if any person shall fail to deliver such notice in writing, or produce such certificate and receipt, within the times above mentioned, his right of pre-emption shall cease and become void.†

SECT. 4. *And be it further enacted*, That so much of the second section of the act,‡ to which this act is a supplement, as provides that not more than one tract or parcel of land shall be granted to any one person, shall be, and the same is hereby, repealed.

SECT. 5. *And be it further enacted*, That the lands to which the Indian title has been extinguished, by the treaty made at Detroit, on the seventeenth of November, one thousand eight hundred and seven,§ shall be attached to, and made a part of, the

district of Detroit, and be offered for sale at that place, under the same exceptions and regulations, at the same price, and on the same terms, as other lands lying in that district. 1808.

[Approved, April 25, 1808.]

ed by the treaty of Detroit, attached to the district of Detroit, and to be offered for sale there, &c.

## RESOLUTION.

[No. 1.] Resolution to authorize the disposition of certain charts of the coast of North Carolina.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled, That the secretary of the treasury be, and he is hereby, directed to cause to be sold as many of the charts of the coast of North Carolina, published in conformity to the resolution which passed the second of March, one thousand eight hundred and seven, as shall remain on hand, after reserving the number requisite for the use of the government of the United States.* [Approved, March 4, 1808.]

The secretary of the treasury directed to cause as many of the charts of the coast of North Carolina, &c. as remain on hand after reserving the requisite number for government, to be sold.

# ACTS OF THE TENTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE SECOND SESSION, WHICH WAS BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE 7TH OF NOVEMBER, 1808, AND ENDED ON THE 3D OF MARCH, 1809.

Thomas Jefferson, President. George Clinton, Vice President, and President of the Senate. Stephen R. Bradley, President of the Senate, pro tempore, from the 4th to the 7th of January. Jn. Milledge, President, pro tempore, of the Senate, from the 30th of January. J. B. Varren Speaker of the House of Representatives.

1808-9.

[\* Obsolete.]

CHAP. 172. [LXVIII.] An act to authorize the transportation of a certain message of the president of the United States, and documents accompanying the same.\*

Members of congress and delegates authorized to transmit, free of postage, the message of the president, of the 8th Nov. 1808, and documents, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the members of congress, and delegates from the several territories of the United States, be, and they are hereby, authorized to transmit, by mail, free of postage, the message of the president of the United States of the eighth day of November, in the year one thousand eight hundred and eight, and documents accompanying the same, printed by order of the senate, and by order of the house of representatives, to any post office within the United States, and territories thereof, to which they may, respectively, direct, any law to the contrary notwithstanding.

[Approved, November 18, 1808.]

[† Private and obsolete.]

CHAP. 173. [LXIX.] An act for the relief of Andrew Joseph Villard.†

1,000 dolls. to be paid to Andrew Joseph Villard, for his extra services, &c. in the mode of mounting heavy cannon, on a new construction, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That there be paid to Andrew Joseph Villard, the sum of one thousand dollars, out of any money in the treasury, not otherwise appropriated, for his extra services and expense, in the mode of mounting heavy cannon for batteries, on a new construction, for the use and benefit of the United States.

[Approved, January 4, 1809.]

**CHAP. 174. [LXX.]** An act authorizing the president of the United States to employ an additional number of revenue cutters.\*

1809.

[\* Obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, empowered to procure so many revenue cutters, not exceeding twelve, as may be necessary for the public service, the expense whereof shall be paid out of the product of the duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels. *[Approved, January 6, 1809.]*

The president empowered to procure not exceeding 12 revenue cutters, to be paid for out of the product of the duties, &c.

**CHAP. 175. [LXXI.]** An act authorizing the payment of certain pensions, by the secretary of war, at the seat of government.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That every pension, or arrearage of pension, that shall be due on the third day of March, one thousand eight hundred and nine, or that may thereafter become due, to any officer or soldier residing in either of the United States, or the territories thereof, in which there hath not been appointed an agent for the payment of pensions, shall be paid at the seat of the government of the United States, by the secretary for the war department, and the name of the pensioner shall, on his application to the secretary of war, be transferred from the books of the state in which it was originally enregistered, to a register to be opened for that purpose at the war office of the United States. *[Approved, January 7, 1809.]*

Every pension, &c. due on the 3d of March, 1809, &c. to any officer or soldier, residing in either of the United States, &c. in which there hath not been appointed an agent, &c. to be paid at the seat of government of the United States, &c. and the name of the pensioner to be transferred to a register, &c.

**CHAP. 176. [LXXII.]** An act to enforce and make more effectual an act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States," and the several acts supplementary thereto.†

[† Repealed. See act of 1st March, 1809; sec. 19, chap. 196, post. Orig. act, ante, chap. 109.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That if any person or persons shall put, place, or load, on board any ship, vessel, boat, or water craft, or into any cart, waggon, sled, or other carriage or vehicle, with or without wheels, any specie, goods, wares, or merchandise, with intent to export, transport, or convey, the same without the United States, or the territories thereof, to any foreign place, kingdom, or country, or with intent to convey the same on board any foreign ship or vessel within or without the limits of the United States, or with the intent in any other manner to evade the acts to which this act is a supplement, all such specie, goods, wares, and merchandise, and also the ship, vessel, boat, water craft, cart, waggon, sled, or other carriage or vehicle, on board, or in, which the same may be so put, placed, or loaded, as aforesaid, shall be forfeited, and the person or persons so putting, placing, or loading, the same, as aforesaid, and also the aiders and abettors therein, shall,

If any person puts on board any vessel, boat, cart, sled, &c. any specie, goods, &c. with intent to convey the same to any foreign place, &c. the vessel, goods, &c. are forfeited, and the persons concerned are liable to a fine of four times the value of the specie, goods, &c.



**1809.** upon conviction, be adjudged guilty of a high misdemeanor, and fined a sum, by the court before which the conviction is had, equal to four times the value of such specie, goods, wares, and merchandise: *Provided, however,* That this section shall not be construed to extend to any person or persons, not being the owner or owners of such specie, goods, wares, or merchandise, who shall first inform and make complaint to the collector of the district of any such offence committed within the same district; and any informer or informers, not being the owner or owners as aforesaid, upon conviction of the offenders, shall be entitled to one-half of the fine aforesaid, when the same shall be received by the United States, and shall be entitled to a certificate for that purpose from the court before whom the conviction shall be had.

Proviso; this section not to extend to persons who are not owners, and who first inform, &c.

Informers, not being owners, entitled to one-half the fines, &c.

Not lawful to put on board any vessel, &c. any specie, goods, &c. unless a permit has been previously obtained from the collector, &c. and the owners, &c. give bond, &c.

The collectors of the customs may refuse permission to put any cargo on board, whenever they think there is an intention to violate the embargo, &c. Proviso; nothing in this section to extend to any vessel, &c. uniformly employed in the navigation of bays, &c.

Owners, &c. of vessels, &c. as described in the preceding section, which may, at the time notice of this act is received, be laden, &c. either to discharge the cargo or give bond, &c. If the cargo is not discharged in

**SECT. 2.** *And be it further enacted,* That it shall not be lawful to put on board any ship, vessel, or boat, of any description whatever, any specie, or goods, wares, or merchandise, either of domestic or foreign growth, produce, or manufacture, and the same is hereby prohibited, unless a permit, particularly stating the articles thus to be laden, shall have been previously obtained from the collector of the district in which such ship, vessel, or boat, may then be, or from a revenue officer specially authorized by the collector to grant such permits; nor unless the lading shall be made under the inspection of the proper revenue officers, nor unless the owner or owners, consignee, or factor, of such ship, vessel, or boat, shall, with the master, have given bond, with one or more sureties, to the United States, in a sum six times the value of the vessel and cargo, that the vessel shall not leave the port without a clearance, nor shall, when leaving the port, proceed to a foreign port or place, nor shall put any article on board of any other vessel; and that the whole cargo shall be relanded either in the port where the vessel may then be, or in such other port of the United States as shall be designated in the clearance. And it shall be lawful for the collectors of the customs to refuse permission to put any cargo on board any such ship, vessel, or boat, whenever, in their opinion, there is an intention to violate the embargo, or whenever they shall have received instructions to that effect by direction of the president of the United States: *Provided,* That nothing contained in this section shall be construed to extend to any ship, vessel, or boat, uniformly employed in the navigation only of bays, sounds, rivers, and lakes, within the jurisdiction of the United States, which shall have obtained a general permission, agreeably to the provisions in the fourth section of this act.

**SECT. 3.** *And be it further enacted,* That the owner or owners, consignee or factor, of any ship, vessel, or boat, as described in the preceding section, which may, at the time when notice of this act shall be received at the several customhouses, respectively, be laden, in whole or in part, shall, on notice given by the collector, either discharge such cargo, or give bond for the same, in the manner, and on the conditions, mentioned in the preceding section; and if the cargo shall not be discharged within ten days,

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ten, or the bond given in three days, the vessel, &c. is forfeited, &c.

Collectors, in the mean while, may take possession of the vessels, &c.

The collectors of the customs authorized to grant, &c. a general permission to vessels, &c. uniformly confined to the navigation of bays, &c. when it can be done without danger of violating the embargo, to take on board such articles as may be designated; bond, &c. being previously given, &c.

Any vessel, &c. not having received a general permission, given a general bond, &c. and taking on board any specie, goods, &c. contrary to the provisions of the 2d section of this act, such vessel, with the specie, goods, &c. are wholly forfeited, and the owner, &c. liable to pay a sum equal, &c.

Persons whose names appear as owners on the certificate of registry, &c. to be reported as the true owners,

~~In the bond given~~, within three days, after such notice, the ship, vessel, or boat, and cargo, shall be wholly forfeited: But the collectors are hereby authorized to order or to cause the cargoes of such vessels to be discharged for the same causes as they may refuse permission to put any cargo on board of vessels not yet laden in whole or in part. And they are likewise authorized, in the mean while, and until the cargoes shall have been discharged, or bonds given, as the case may be, to take possession of such vessels, and to take such other measures as may be necessary to prevent their departure.

SECT. 4. *And be it further enacted*, That the collectors of the customs be, and they are hereby, authorized to grant, under such general instructions as the president of the United States may give to that effect, a general permission to ships, vessels, or boats, whose employment has uniformly been confined to the navigation of bays, sounds, rivers, or lakes, within the jurisdiction of the United States, when it can be done without danger of the embargo being violated, to take on board, at any time, such articles, of domestic or foreign growth, as may be designated in such general permission or permissions, bond, with one or more sureties, being previously given to the United States by the owner, owners, consignee, or factors, of such ship, vessel, or boat, and by the master thereof, in an amount equal to three hundred dollars for each ton of the said vessel, that such vessel shall not, during the time limited in the condition of the bond, depart from any district of the United States, without having previously obtained a clearance, nor until the master or commander shall have delivered to the collector or surveyor of the port of departure a manifest of the whole cargo on board, that the said vessel shall not, during the time abovementioned, proceed to any other port than that mentioned in her clearance, or put any article on board of any other vessel, or be employed in any foreign trade; and that on every voyage or trip, the whole of the cargo shall be landed in a port of the United States within the bay, sound, rivers, or lakes, to which the navigation of such vessel is confined,

SECT. 5. *And be it further enacted*, That if any ship, vessel, or boat, not having received a general permission, and a general bond not having been first given in the manner provided for in the next preceding section, shall take on board any specie, or any goods, wares, or merchandise, either of foreign or domestic growth, produce, or manufacture, contrary to the provisions of the second section of this act, such ship, vessel, or boat, together with the specie, and goods, wares, or merchandise, shall be wholly forfeited; and the owner or owners, agent, freighter, or factors, master, or commander, of such ship, vessel, or boat, shall, moreover, severally forfeit and pay a sum equal to the value of the ship, vessel, or boat, and of the cargo put on board the same.

SECT. 6. *And be it further enacted*, That the person or persons whose names do or may appear as owner or owners of any ship or vessel, either on the certificate of registry, enrolment, or license, of any such ship or vessel, or, if neither registered or

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and liable to the payment of penalties, &c.

Provido; nothing in this section to release any other person from the payment of any penalty incurred by virtue of the acts referred to. In case of any new register, &c. a bond previously to be required by the collector, &c.

Provido; nothing herein to extend to the owner of any vessel who shall have made a bona fide sale thereof, before notice of this act, &c.

Provido; the bond required, not to release the owners, &c. from the obligation of giving every other bond, &c.

In cases where, either under this act, or the act laying an embargo, &c. bond has been given, &c. that the cargo shall be relanded in some port of the United States, the parties to produce a certificate of the relanding, within two months, unless in the case of a voyage to New Orleans, when 4 months are allowed, &c. or the bond to be put in suit, &c.

In case of suit, judgment to be given against the defendant, unless proof be given, &c. but neither expore,

licensed, on the last clearance or customhouse document issued, before the passing of this act, for such ship or vessel, shall be reputed as the true owner or owners of such ship or vessel, and be liable to the payment of all penalties which may be incurred by the owners of such ship or vessel, by reason of any violation of any of the provisions of this act, or of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or of any of the acts supplementary thereto, by such ship or vessel: *Provided always*, That nothing in this section contained shall be construed to release any other person or persons from the payment of any penalty incurred by virtue of any of the acts aforesaid. And in case of any new register, or license, being granted during the continuance of the said acts, or in case of the sale of any ship or vessel neither registered or licensed, a bond, with one or more sureties, to the United States, shall, previous to the granting any such new register or license, or to recognising the sale of such vessel not registered or licensed, be required by the collector, in an amount equal to three hundred dollars for each ton of such ship or vessel, that such ship or vessel shall not, during the continuance of the acts laying an embargo on all ships and vessels in the ports and harbors of the United States, contravene or infringe any of the provisions of the said acts: *Provided*, That nothing herein contained shall be construed to extend to the owner or owners of any ship or vessel who shall have made a bona fide sale of such ship or vessel, in any port or harbor of the United States, before notice of this act at such port or harbor, respectively; nor to the owner or owners of any ship or vessel, in any foreign port or place, who shall have made a bona fide sale thereof before notice of this act: *And provided also*, That such bond shall not release the owners and master of such ship or vessel, or any other person, from the obligation of giving every other bond required by this act, or by any of the acts aforesaid.

SECT. 7. *And be it further enacted*, That in all cases where, either under this act, or under the act laying an embargo on all ships or vessels in the ports and harbors of the United States, or under any of the acts supplementary thereto, a bond has been or shall be given to the United States, with condition that certain goods, wares, and merchandise, or the cargo of a vessel, shall be relanded in some port of the United States, the party or parties to such bond shall, within two months after the date of the same, (unless in the case of a voyage from New Orleans to an Atlantic port, or from an Atlantic port to New Orleans, in either of which cases four months shall, as heretofore, be allowed), produce to the collector of the port from which the vessel had been cleared with such goods, wares, merchandise, or cargo, a certificate, of the relanding of the same, from the collector of the proper port; on failure whereof, the bond shall be put in suit; and in every such suit, as well as in every suit instituted on a bond given for a voyage from or to New Orleans, judgment shall be given against the defendant or defendants, unless proof shall be given of such relanding, or of loss of the vessel at sea. But

neither capture, distress, or any other accident whatever, shall be pleaded or given in evidence in any such suit, unless such capture shall be expressly proved to have been hostile, and such distress or accident occasioned by no negligence or deviation, nor unless such vessel shall have been, from the commencement of the voyage, wholly navigated by a master, mate, or mates, mariners, and crew, all of whom shall be citizens of the United States; nor unless such mate or mates, mariners, and crew, shall, all, if living, (and the proof of their death shall lie on the defendant,) be produced on the trial, and sworn as competent witnesses; nor unless such master, mate, or mates, mariners, and crew, shall have signed a shipping paper in due form of law, and a copy thereof, designating specially the master, mate, or mates, mariners, and crew, and their permanent places of residence, shall have been lodged with the collector of the port to whom the bond aforesaid shall have been given, before the commencement of the voyage, and subscribed and sworn to by the master before such collector; and any master who shall falsely, wilfully, and corruptly, swear as to the facts contained in such copy, shall, on conviction, suffer the pains and penalties of perjury.\* And in every suit, instituted on a bond, given as aforesaid, the defendants shall pay all costs, if they shall not, within the limited time, have produced the certificate of relanding to the collector of the proper port.

SECT. 8. *And be it further enacted,* That no registered or sea-letter vessel, although in ballast, shall receive a clearance, or be permitted to depart from any port of the United States, unless the same bond shall have been previously given which is required from vessels licensed for the coasting trade, before they are allowed to depart. And if any such ship or vessel shall depart without bond having been given as aforesaid, the said ship or vessel shall be forfeited; and the owner, owners, agent, consignee, factor, and master, or commander, of such ship or vessel, as well as any other person concerned in such prohibited departure, shall be liable to the same penalties imposed by law in the case of vessels licensed for the coasting trade departing without bond having been given, or without clearance, as aforesaid.

SECT. 9. *And be it further enacted,* That the collectors of all the districts of the United States shall, and they are hereby authorized to, take into their custody specie, or any articles of domestic growth, produce, or manufacture, found on board of any ship or vessel, boat, or other water craft, when there is reason to believe that they are intended for exportation, or when in vessels, carts, waggons, sleighs, or any other carriage, or in any manner apparently on their way towards the territories of a foreign nation, or the vicinity thereof, or towards a place whence such articles are intended to be exported; and not to permit such articles to be removed until bond, with sufficient sureties, shall have been given for the landing or delivery of the same in some place of the United States, whence, in the opinion of the collector, there shall not be any danger of such articles being exported.

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distress, &c. to be pleaded, unless, &c.

Masters falsely and corruptly swearing, &c. to suffer the pains and penalties of perjury, &c.

[\* See sec. 18, chap. 36, page 96, vol. 2.]

In every suit on a bond, the defendants to pay costs if they have not produced the certificate, &c. No registered or sea-letter vessel to receive a clearance, unless the same bond is given as in the case of vessels licensed for the coasting trade, under the penalty of forfeiture, &c.

The collector, &c. authorized to take into their custody, specie, articles, &c. found on board any vessel, boat, wagon, &c. when there is reason to believe they are intended for exportation, &c. and not to permit such articles to be removed until the bond is given, &c.

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The powers given to the collectors by the acts respecting the embargo, &c. to be exercised in conformity with such instructions as the president may give, &c.

If suit be brought against a collector, &c. he may plead the general issue, and give this act, &c. in evidence.

Any person aggrieved by the acts of a collector, &c. may file his petition before the district court, &c. which may adjudge, &c.

The judgment of the court, and the facts, to be filed, &c.

If restoration of property be decreed, &c. the party must give bond, &c.

If the court adjudge against the petition, the collector is entitled to treble costs, &c.

The president of the United States may employ the land and naval forces, or the militia, in conformity with the provisions of this and other acts, &c. and for preventing the illegal departure of any vessel, or for taking into custody any specie, &c. and suppressing armed or riotous assemblages for resisting the customhouse officers, &c.

The penalties and forfeitures, incurred by force of this act, unless, &c. may be prosecuted, &c. by action of debt, indictment, &c.  
[\*Ante, ch. 109.]

**SECT. 10.** *And be it further enacted,* That the powers given to the collectors, either by this or any other act respecting the embargo, to refuse permission to put any cargo on board any vessel, boat, or other water craft, to detain any vessel, or to take into their custody any articles for the purpose of preventing violations of the embargo, shall be exercised in conformity with such instructions as the president may give, and such general rules as he may prescribe for that purpose, made in pursuance of the powers aforesaid; which instructions and general rules the collectors shall be bound to obey: And if any action or suit be brought against any collector, or other person acting under the directions of, and in pursuance of, this act, he may plead the general issue, and give this act and the instructions and regulations of the president in evidence, for his justification and defence. And any person aggrieved by the acts of any collector, in either of the cases aforesaid, may file his petition before the district court of the district wherein the collector resides, stating the facts of his case, and thereupon, after due notice given to the district attorney and the collector, the said court may summarily hear and adjudge thereupon, as law and justice may require; and the judgment of said court, and the reason and facts whereon it is grounded, shall be filed among the records of said court; and if restoration of the property detained or taken in custody, or permission to load as aforesaid, shall be decreed, it shall be upon the party's giving such bond with sureties as is or shall be required to be taken in similar cases by the collector, and not otherwise; but if the said court shall adjudge against such petition, the collector shall be entitled to treble costs, which shall be taxed for him, and execution awarded accordingly by the court.

**SECT. 11.** *And be it further enacted,* That it shall be lawful for the president of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces, or militia, of the United States, or of the territories thereof as may be judged necessary, in conformity with the provisions of this and other acts respecting the embargo, for the purpose of preventing the illegal departure of any ship or vessel, or of detaining, taking possession of, and keeping in custody, any ship or vessel, or of taking into custody and guarding any specie, or articles of domestic growth, produce, or manufacture, and also for the purpose of preventing and suppressing any armed or riotous assemblage of persons, resisting the customhouse officers in the exercise of their duties, or in any manner opposing the execution of the laws laying an embargo, or otherwise violating, or assisting and abetting violations, of the same.

**SECT. 12.** *And be it further enacted,* That all penalties and forfeitures incurred by force of this act, unless hereinbefore otherwise directed, and all penalties and forfeitures incurred by force of the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States,"\* or by virtue of the several acts supplementary thereto, may be prose-

cuted, sued for, and recovered, by action of debt, or by indictment, or information, any law, usage, or custom, to the contrary notwithstanding; and if recovered in consequence of any seizure made by the commander of any public armed vessel of the United States, shall be distributed according to the rules prescribed by the act, entitled "An act for the government of the navy of the United States;"\* and if otherwise, shall be distributed and accounted for in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage,"† passed the second day of March, one thousand seven hundred and ninety-nine; and may be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned,"‡ passed the third day of March, one thousand seven hundred and ninety-seven, and made perpetual by an act passed the eleventh of February, one thousand eight hundred; and any officer or other person entitled to a part or share of any of the fines, penalties, or forfeitures, aforesaid, may, if necessary, be a witness on the trial therefor; but in such case he shall not receive any part or share of the said fine, penalty, or forfeiture, but the part or share to which he would otherwise be entitled, shall revert to the United States.

SECT. 13. *And be it further enacted*, That the president of the United States be, and he hereby is, authorized to hire, arm, and employ, thirty vessels, not exceeding in tonnage one hundred and thirty tons each, belonging to citizens of the United States, and so many seamen as shall be necessary to man the same, for immediate service, in enforcing the laws of the United States on the sea coast thereof, and to dismiss the same from service whenever he shall deem the same expedient: *Provided, however*, That such hiring, arming, and employment, shall not be for a term exceeding one year. And the said ships or vessels, when so hired and armed, shall be employed under the direction of the secretary of the treasury.

SECT. 14. *And be it further enacted*, That the powers given to the president of the United States by the seventh section of the act of March the twelfth, one thousand eight hundred and eight, to grant permission to citizens having property of value in places without the jurisdiction of the United States, to despatch vessels for the same, shall henceforth cease.

SECT. 15. *And be it further enacted*, That this act shall be in force, from and after the passing thereof, during the continuance of the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States,"§ and no longer. [*Approved, January 9, 1809.*]

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Penalties, &c. to be distributed, &c. according to the acts mentioned, &c.

[\*Ch. 187, vol. 3.]

[†Ch. 188, vol. 3.]

Penalties, &c. may be mitigated or remitted as prescribed by the act mentioned. [‡Ch. 361, vol. 2.]

Any person entitled to a share of any of the fines, may be a witness; but, in that case, he is not to receive any part of the fine, &c.

The president authorized to hire, arm, and employ, 30 vessels, &c. belonging to citizens, &c. to enforce the laws on the sea coast, &c.

Provido; the hiring, &c. not to be for a term exceeding a year, &c.

The powers given to the president to grant permission to citizens having property out of the United States to despatch vessels for it, to cease.

This act to be in force during the continuance of the act laying an embargo, &c.

[§ Ante, ch. 109.]

CHAP. 177. [LXXIII.] An act for the relief of Augustin Serry.||

[|| Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the proper accounting officers of the treasury be, and they are

The proper accounting officers of the treasury

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authorized to settle the account of Augustin Serry, formerly a boatswain on board the United States-brig Sophia; and allow him the pay and emoluments of a boatswain for the time mentioned, &c.

hereby authorized to settle the account of Augustin Serry, formerly a boatswain on board the United States-brig Sophia; and that they allow him the pay and emoluments of a boatswain, from the fifteenth day of October, one thousand seven hundred and ninety-six, until the sixteenth day of February, one thousand seven hundred and ninety-eight; and that they pay the balance which may be found due to the said Augustin Serry, out of any moneys in the treasury, not otherwise appropriated.

[Approved, January 12, 1809.]

[\* Obsolete. See the act in part revived, chap. 309, vol. 3.]

**CHAP. 178. [LXXIV.]** An act to revive and continue in force, for a further time, the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."

The first section of the act further to protect the commerce and seamen of the United States against the Barbary powers, revived, and continued until the 1st Jan. 1810. [† Chap. 309, vol. 3.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That so much of the act, passed on the twenty-fifth day of March, one thousand eight hundred and four, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers,"† as is contained in the first section of the said act, (and which was revived and continued in force, for the time therein mentioned, by an act, entitled "An act to revive and continue in force, for a further time, the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers,"‡ passed the nineteenth day of January, one thousand eight hundred and eight,) be, and the same hereby is, revived, and continued in force until the first day of January, one thousand eight hundred and ten:§ *Provided, however,* That the additional duty laid by the said section shall be collected on all such goods, wares, and merchandise, liable to pay the same, as shall have been imported previous to that day. [Approved, January 10, 1809.]

[† Ante, ch. 115.]

[§ Further continued. See chap. 330, post.] *Provided;* the additional duty to be collected on all goods, &c. liable to pay, &c. imported previous to the day referred to.

**CHAP. 179. [LXXV.]** This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

[‡ Obsolete. See orig. act, of 10th March, 1808; ante, chap. 134.]

**CHAP. 180. [LXXVI.]** An act supplemental to an act, entitled "An act for extending the terms of credit on revenue bonds in certain cases, and for other purposes."||

The payment of all bonds given subsequent to the 10th March, 1808, for duties on coffee, sugar, &c. may be suspended whilst the act laying an embargo continues in force, sub; et, &c. to the provisions of the act referred to.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the payment of all bonds given, subsequent to the date of the act to which this act is a supplement, for duties on coffee, sugar, pepper, indigo, cocoa, and wine paying a duty of twenty-three cents per gallon, and which remain unpaid, or for the same articles which may arrive hereafter in any of the ports of the United States, and whilst the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United

states,\*\* shall continue in force, may be suspended, subject, **1809.**  
 however, in all respects to the conditions and provisions made [Amtr, ch. 100.]  
 and provided in the act of the tenth of March, one thousand eight  
 hundred and eight, to which this act is a supplement:† *Provided,*  
 That nothing herein contained shall be construed to extend to  
 importations made in vessels despatched under permissions grant-  
 ed by the president of the United States, in pursuance of powers  
 in him vested by the seventh section of the act, entitled "An  
 act in addition to the act, entitled "An act supplementary to the  
 act, entitled "An act laying an embargo on all ships and vessels  
 in the ports and harbors of the United States."‡

[† See ante, chap. 134.]  
 Nothing herein to extend to im-  
 portations made in vessels de-  
 satched under permissions  
 granted by the president, &c.

[‡ Ante, ch. 137.]

**SECT. 2.** *And be it further enacted,* That if the amount of any  
 bond given for the payment of duties on the importation of cof-  
 fee, sugar, pepper, indigo, cocoa, or wine paying a duty of twen-  
 ty-three cents per gallon, made subsequent to the passage of the  
 act to which this is a supplement, and which bond would, by  
 virtue of this act, have been entitled to an extension of credit,  
 shall have been previously paid, the money so paid shall, by the  
 proper collector, be refunded to the person or persons who shall  
 have paid the same, or to his, her, or their agent or agents, on  
 his or their giving a bond with sureties, in the same manner, and  
 on the same terms, conditions, and restrictions, and on a compli-  
 ance, of the person or persons receiving the indulgence hereby  
 granted, with all the provisions of the act to which this is a sup-  
 plement. *[Approved, January 12, 1809.]*

The amount of  
 any bond, &c.  
 entitled to an ex-  
 tension of credit  
 by this act, which  
 has been paid, to  
 be refunded, on  
 the party giving  
 bond with sure-  
 ties, &c.

**CHAP. 181. [LXXVII.]** An act to alter the time for the next meeting of congress.

*[This act provides that the next meeting of congress shall be on the fourth Monday of May, 1809. Approved, January 30, 1809.]*

**CHAP. 182. [LXXVIII.]** An act authorizing the employment of an additional naval force.

**SECT. 1.** *Be it enacted by the senate and house of representa-  
 tives of the United States of America in congress assembled,* That,  
 in addition to the frigates now employed in actual service, there  
 be fitted out, officered, and manned, as soon as may be, the four  
 following frigates, to wit: the United States, Essex, John Adams,  
 and President: and moreover, the president of the United States  
 is hereby authorized and empowered to equip, man, and employ,  
 in actual service, so many of the public armed vessels, now laid  
 up in ordinary, and gun boats, as in his judgment the public  
 service may require; and to cause the frigates, and other armed  
 vessels, when prepared for actual service, respectively, to be sta-  
 tioned at such ports and places on the sea coast as he may deem  
 most expedient, or to cruise on any part of the coast of the Uni-  
 ted States, or the territories thereof.¶

Four additional  
 frigates to be fit-  
 ted out, officer-  
 ed, and manned.

The president  
 moreover to  
 equip as many of  
 the public armed  
 vessels and gun  
 boats as he thinks  
 the service re-  
 quires, &c.  
 The frigates, &c.  
 to be stationed,  
 or to cruise, &c.

[¶ Partly repeal-  
 ed. See sec. 2,  
 chap. 225, post.]



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The president authorized to appoint and cause to be engaged 300 midshipmen and 3,600 seamen, &c. additional, &c. for not exceeding two years, &c.

Not exceeding 400,000 dolls. appropriated to defray the expense, &c.

SECT. 2. *And be it further enacted*, That, for the purpose of carrying the foregoing provision into immediate effect, the president of the United States be, and he is hereby, authorized and empowered, in addition to the number of petty officers, able seamen, ordinary seamen, and boys, at present authorized by law, to appoint, and cause to be engaged and employed, as soon as may be, three hundred midshipmen, three thousand six hundred able seamen, ordinary seamen, and boys, who shall be engaged to serve for a period not exceeding two years; but the president may discharge the same sooner, if in his judgment their service may be dispensed with. And to satisfy the necessary expenditures to be incurred therein, a sum, not exceeding four hundred thousand dollars, be, and the same is hereby, appropriated, and shall be paid out of any moneys in the treasury, not otherwise appropriated. [Approved, January 31, 1809.]

[\* Private and obsolete.]

CHAP. 183. [LXXIX.] An act for the relief of Edmund Beaumont.\*

Edmund Beaumont, now imprisoned, &c. discharged from all claim and demand of the United States for a penalty of 400 dolls. recovered, with costs, &c.

Saving the right, &c. which may belong to any third person.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That Edmund Beaumont, now imprisoned in the state of Connecticut, shall be, and hereby is, released and discharged from all claim and demand of the United States, to a certain judgment for a penalty of four hundred dollars, recovered, with costs, at their suit, before the district court for the district of Connecticut, holden at New Haven, in the month of August, eighteen hundred and six; saving and reserving, nevertheless, the right and interest, if any there be, which belongs to any third person.

[Approved, February 1, 1809.]

CHAP. 184. [LXXX.] An act for dividing the Indiana Territory into two separate governments.

The Illinois territory formed out of the Indiana territory, according to the limits described.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, from and after the first day of March next, all that part of the Indiana Territory which lies west of the Wabash river, and a direct line drawn from the said Wabash river and Post Vincennes, due north, to the territorial line between the United States and Canada, shall, for the purpose of temporary government, constitute a separate territory, and be called Illinois.

The government to be similar to that provided by the ordinance and the act referred to, &c.

SECT. 2. *And be it further enacted*, That there shall be established within the said territory a government in all respects similar to that provided by the ordinance of congress, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven,† for the government of the territory of the United States northwest of the river Ohio, and by an act passed on the seventh day of August, one thousand seven hundred and eighty-nine, entitled "An act to provide for the government of the territory northwest of the river Ohio;"‡ and the inhabitants thereof

† See page 476, vol. 1.]

[† Ch. 8, vol. 2.]

shall be entitled to and enjoy all and singular the rights, privileges, and advantages, granted and secured to the people of the territory of the United States northwest of the river Ohio, by the said ordinance.

SECT. 3. *And be it further enacted*, That the officers for the said territory who, by virtue of this act, shall be appointed by the president of the United States, by and with the advice and consent of the senate, shall, respectively, exercise the same powers, perform the same duties, and receive for their services the same compensations, as, by the ordinance aforesaid, and the laws of the United States, have been provided and established for similar officers in the Indiana territory.\* And the duties and emoluments of superintendent of Indian affairs shall be united with those of governor: *Provided*, That the president of the United States shall have full power, in the recess of congress, to appoint and commission all officers herein authorized, and their commissions shall continue in force until the end of the next session of congress.

The officers of the territory to be appointed by the president and senate; their powers, compensation, &c. the same as those of similar officers in Indiana, &c.

[\*See sec. 3, ch. 194, vol. 3: and ante, chaps 80, 106.]  
*Provido*: the president empowered to appoint and commission officers in the recess, &c.

SECT. 4. *And be it further enacted*, That so much of the ordinance for the government of the territory of the United States northwest of the Ohio river, as relates to the organization of a general assembly therein,† and prescribes the powers thereof, shall be in force and operate in the Illinois territory, whenever satisfactory evidence shall be given to the governor thereof that such is the wish of a majority of the freeholders, notwithstanding there may not be therein five thousand free male inhabitants of the age of twenty-one years and upwards: *Provided*, That until there shall be five thousand free male inhabitants of twenty-one years and upwards in said territory, the whole number of representatives to the general assembly shall not be less than seven, nor more than nine, to be apportioned by the governor to the several counties in the said territory, agreeably to the number of free males of the age of twenty-one years and upwards, which they may respectively contain.‡

So much of the ordinance referred to, as relates to the organization of a general assembly, &c. to be in force in the Illinois territory, whenever, &c.  
 [† See page 475, et seq. vol. 1.]

*Provido*: until there are 5,000 free male inhabitants of 21 years, &c. the whole number of representatives not to be less than 7 nor more than 9, to be apportioned by the governor, &c.  
 [‡ See act of 20th May, 1812; ch. 413, post.]  
 Nothing in this act to affect the government in force in the Indiana territory, further than, &c.

SECT. 5. *And be it further enacted*, That nothing in this act contained shall be construed so as in any manner to affect the government now in force in the Indiana territory, further than to prohibit the exercise thereof within the Illinois territory, from and after the aforesaid first day of March next.

SECT. 6. *And be it further enacted*, That all suits, process, and proceedings, which, on the first day of March next, shall be pending in the court of any county which shall be included within the said territory of Illinois, and also all suits, process, and proceedings, which, on the said first day of March next, shall be pending in the general court of the Indiana territory, in consequence of any writ of removal, or order for trial at bar, and which had been removed from any of the counties included within the limits of the territory of Illinois aforesaid, shall, in all things concerning the same, be proceeded on, and judgments and decrees rendered thereon, in the same manner as if the said Indiana territory had remained undivided.

Suits, process, &c. pending in the county or general courts, &c. on the 1st March, 1809, to be proceeded on, &c. as if the Indiana territory had remained undivided.

1809.

Nothing in this act to prevent the collection of taxes on lands in the Illinois, due on the 1st March, 1809. Kaskaskia to be the seat of government, until, &c.

SECT. 7. *And be it further enacted*, That nothing in this act contained shall be so construed as to prevent the collection of taxes which may, on the first day of March next, be due to the Indiana territory on lands lying in the said territory of Illinois.

SECT. 8. *And be it further enacted*, That, until it shall be otherwise ordered by the legislature of the said Illinois territory, Kaskaskia, on the Mississippi river, shall be the seat of government for the said Illinois territory.

[Approved, February 3, 1809.]

CHAP. 185. [LXXXI.] An act supplementary to the act, entitled "An act to amend the act, entitled "An act establishing circuit courts, and abridging the jurisdiction of the district courts, of the districts of Kentucky, Tennessee, and Ohio."

See orig. act, of 23d March, 1808; ante, chap. 148.]

In all actions or suits pending in the circuit courts for the district of Tennessee, established by the act referred to, in which any judgment, &c. was rendered, &c. previous to the passage of the act mentioned, the clerk of the circuit court for East Tennessee directed to issue executions, &c.

[+ Ante, ch. 71.]  
[+ Ante, ch. 148.]

The executions, &c. to be directed to the marshal of either East or West Tennessee, in which the party may reside, &c.

The next session of the district court of Kentucky to be holden on the 2d Monday of May; and the session holden on the 1st Monday of June to be holden on the 3d Monday of May. [See sec. 4, ch. 71, ante.]

Writs, process, &c. to be returned, &c. accordingly.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in all actions or suits that were pending in the circuit courts of the United States for the district of Tennessee, established by an act, entitled "An act establishing circuit courts, and abridging the jurisdiction of the district courts of the districts of Kentucky, Tennessee, and Ohio,"† in which any judgment or decree was rendered, or any sentence passed, previous to the passage of the act, entitled "An act to amend the act, entitled "An act establishing circuit courts, and abridging the jurisdiction of the district courts, of the districts of Kentucky, Tennessee, and Ohio,"‡ the clerk of the circuit court of the United States for the district of East Tennessee be, and he is hereby, authorized and directed to issue executions, and all other process necessary for carrying the same into complete effect, in the same manner as if the said last mentioned act had not passed; which executions and other process shall be directed to the marshal of either of the districts of East or West Tennessee, in which the party against whom the same shall issue may reside, or his property may be found, who shall execute and return the same, in like manner he would have done if the act to which this is a supplement had not passed, and shall receive the same fees as are by law allowed for similar services in other cases.

SECT. 2. *And be it further enacted*, That the next session of the district court of the United States for the district of Kentucky, shall be holden on the second Monday in May next, and that the session of the said court heretofore holden on the first Monday in June, annually, shall thereafter be holden, annually, on the second Monday in May.)

SECT. 3. *And be it further enacted*, That all writs and process, which shall have been issued, or may hereafter issue, and all recognisances returnable, and all suits and other proceedings, of what nature or kind soever, which have been continued to the said district court on the first Monday in June next, from the last December term, shall be returned and held continued to the said second Monday in May next.

[Approved, February 4, 1809.]

CHAP. 186. [LXXXII.] An act making appropriations to complete the fortifications commenced for the security of the seaport towns and harbors of the United States, and to defray the expense of deepening and extending, to the river Mississippi, the canal of Carondelet.

1809.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for the purpose of completing the fortifications commenced for the security of the seaport towns and harbors of the United States and territories thereof, exclusive of the contemplated line of blocks and chains across the harbor of New York, there be, and hereby is, appropriated the sum of four hundred and fifty thousand dollars, to be paid out of any moneys in the treasury not otherwise appropriated.

400,000 dolls. appropriated for completing the fortifications for the security of seaport towns and harbors, exclusive, &c.

SECT. 2. *And be it further enacted, That* the president of the United States be, and he is hereby, authorized to cause the canal of Carondelet, leading from lake Ponchartrain, by way of the Bayou St. John, to the city of New Orleans, to be extended to the river Mississippi, and made sufficiently deep throughout to admit an easy and safe passage to gunboats, if, upon survey thereof, he shall be convinced that the same is practicable, and will conduce to the more effectual defence of said city; and that, for the purpose of defraying the expense thereof, there be, and hereby is, appropriated the sum of twenty-five thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated. [Approved, February 10, 1809.]

The president authorized to cause the canal of Carondelet, &c. to be extended to the Mississippi, and made deep enough to admit an easy and safe passage to gunboats, &c.

25,000 dolls. appropriated for the purpose, &c.

CHAP. 187. [LXXXIII.] An act to revive, and continue for a further time, the authority of the commissioners of Kaskaskia.\*

(\* See ante, sec. 6, ch. 108; and ch. 40, ante.)

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the powers heretofore vested in the register, and receiver of public moneys, for the district of Kaskaskia, be, and the same are hereby, revived; and the said register and receiver shall be allowed until the first day of January next, to complete the investigation of claims to land in said district; they shall have full power to revise any of their former decisions, and also the same power and authority in relation to claims to land in the village of Pioria, notices of which have heretofore been filed, as they have in relation to other claims in the said district; and the said register and receiver, and the clerk of the board, shall each be allowed an additional compensation of five hundred dollars, in full for his services in relation to such claims.

The powers vested in the register and receiver of public moneys for the district of Kaskaskia, revived. The register and receiver allowed until the 1st of Jan. 1810, to complete the investigation of claims, with power to revise former decisions, &c.

500 dolls. additional allowed to the register, to the receiver, and the clerk of the board, &c.

[Approved, February 15, 1809.]

CHAP. 188. [LXXXIV.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

1809.

[Obsolete.]

CHAP. 189. [LXXXV.] An act making appropriations for the support of government during the year one thousand eight hundred and nine.\*

Sums appropri-  
ated for the ob-  
jects mentioned.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for the expenditure of the civil list, in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of lighthouses, beacons, buoys, and public piers; for defraying the expenses of surveying the public lands; and for satisfying certain miscellaneous claims, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

For the mem-  
bers of congress,  
&c.

For compensation granted by law to the members of the senate and house of representatives, their officers and attendants, estimated for a session of four months' and a half continuance, two hundred and one thousand four hundred and twenty-five dollars.

For the contin-  
gent expenses of  
congress.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of congress, twenty-eight thousand dollars.

For contingent  
expenses of the  
library of con-  
gress, &c.

For all contingent expenses of the library of congress, and for the librarian's allowance, for the year one thousand eight hundred and nine, eight hundred dollars.

For the presi-  
dent and vice  
president.

For compensation to the president and vice president of the United States, thirty thousand dollars.

For the secreta-  
ry of state,  
clerks, &c.

For compensation to the secretary of state, clerks, and persons employed in that department, including the sum of one thousand dollars for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first day of April, one thousand eight hundred and six,† thirteen thousand five hundred and sixty dollars.

For contingent  
expenses of the  
department of  
state.

For the incidental and contingent expenses of the said department, four thousand two hundred dollars.

For printing and  
distributing the  
laws, &c.

For printing and distributing the laws of the second session of the tenth congress, and printing the laws in newspapers, eight thousand two hundred and fifty dollars.

For special mes-  
sengers, &c.

For special messengers, charged with despatches, two thousand dollars.

For the secreta-  
ry of the treasu-  
ry, clerks, &c.

For compensation to the secretary of the treasury, clerks, and persons employed in his office, including the sum of one thousand dollars for clerk hire, in addition to the sum allowed by the act of the twenty-first April, one thousand eight hundred and six, sixteen thousand seven hundred dollars.

For translating  
foreign lan-  
guages, &c.

For the expense of translating foreign languages, allowance to the person employed in transmitting passports and sealetters, and for stationery and printing, in the office of the secretary of the treasury, one thousand dollars.

For the comp-  
troller, clerks,  
&c.

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, including the sum of one thousand six hundred and thirty-nine dollars, for compensation to his clerks, in addition to the sum allowed by the act of the

twenty-first April, one thousand eight hundred and six,\* four-  
teen thousand six hundred and sixteen dollars.

1899.

(\* Ante, ch. 41.

For expense of stationery, printing, and incidental and con-  
tingent expenses of the comptroller's office, eight hundred dollars.

For contingent  
expenses of the  
comptroller's  
office.  
For the auditor,  
clerks, &c.

For compensation to the auditor of the treasury, clerks, and  
persons employed in his office, twelve thousand two hundred  
and twenty-one dollars.

For expense of stationery, printing, and incidental and con-  
tingent expenses of the auditor's office, five hundred dollars.

For contingent  
expenses in the  
auditor's office.

For compensation to the treasurer, clerks, and persons em-  
ployed in his office, six thousand two hundred and twenty-seven  
dollars and forty-five cents.

For the treasur-  
er, clerks, &c.

For expense of stationery, printing, and incidental and con-  
tingent expenses in the treasurer's office, three hundred dollars.

For contingent  
expenses in the  
treasurer's of-  
fice.

For compensation to the register of the treasury, clerks, and  
persons employed in his office, sixteen thousand and fifty-two  
dollars and two cents.

For the regis-  
ter, clerks, &c.

For expense of stationery, printing, and all other incidental  
and contingent expenses in the register's office, including books  
for the public stocks, and for the arrangement of the marine  
records, two thousand eight hundred dollars.

For contingent  
expenses in the  
register's office,  
&c.

For fuel, and other contingent and incidental expenses of the  
treasury department, four thousand dollars.

For fuel, &c. for  
the treasury de-  
partment.

For defraying the expense of printing and stating the public  
accounts for the year one thousand eight hundred and nine, one  
thousand two hundred dollars.

For printing  
and stating the  
public accounts.

For the purchase of books, maps, and charts, for the use of  
the treasury department, four hundred dollars.

For purchasing  
books, &c. for  
the treasury de-  
partment.

For compensation to a superintendent, employed to secure the  
buildings and records of the treasury department, during the year  
one thousand eight hundred and nine, including the expense of two  
watchmen, the repairs of two fire engines, buckets, lanterns,  
and other incidental and contingent expenses, one thousand one  
hundred dollars.

For a superin-  
tendent of the  
buildings and re-  
cords of the  
treasury, watch-  
men, &c.

For compensation to the secretary of the commissioners of the  
sinking fund, two hundred and fifty dollars.

For the secreta-  
ry of the com-  
missioners of  
the sinking  
fund.

For compensation to the secretary of war, clerks, and persons  
employed in his office, eleven thousand two hundred and fifty  
dollars.

For the secreta-  
ry of war,  
clerks, &c.

For expense of fuel, stationery, printing, and other contin-  
gent expenses of the office of the secretary of war, one thousand  
dollars.

For contingent  
expenses of the  
office of secreta-  
ry of war.

For compensation to the accountant of the war department,  
clerks, and persons employed in his office, ten thousand nine  
hundred and ten dollars.

For the account-  
ant of the war  
department,  
clerks, &c.

For contingent expenses in the office of the accountant of the  
war department, one thousand dollars.

For contingent  
expenses in the  
accountant's  
office.

For compensation to the clerks employed in the paymaster's  
office, two thousand eight hundred dollars.

For clerks in the  
paymaster's of-  
fice.

For contingent expenses in the said office, two hundred dollars.

For contingent  
expenses in the  
same

For compensation to the purveyor of public supplies, clerks,  
and persons employed in his office, and for expense of stationery,

For the purvey-  
or, clerks, &c.

1809.

[\* Ante, ch. 41.]  
For the secretary  
of the navy,  
clerks, &c.

store rent, and fuel, for the said office, including the sum of five hundred dollars for compensation to clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,\* five thousand one hundred dollars.

For compensation to the secretary of the navy, clerks, and persons employed in his office, nine thousand eight hundred and ten dollars.

For contingent  
expenses in the  
secretary of the  
navy's office.  
For the accountant  
of the navy,  
clerks, &c.

For expense of fuel, stationery, printing, and other contingent expenses in the said office, two thousand dollars.

For compensation to the accountant of the navy, clerks, and persons employed in his office, ten thousand four hundred and ten dollars.

For contingent  
expenses in the  
accountant's  
office.

For contingent expenses in the office of the accountant of the navy, seven hundred and fifty dollars.

For the post-  
master general,  
assistant,  
clerks, &c.

For compensation to the postmaster general, assistant postmaster general, clerks, and persons employed in the postmaster general's office, including the sum of one thousand five hundred and forty-five dollars, for compensation to clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,† sixteen thousand dollars.

[† Ante, ch. 41.]  
For fuel, candles,  
&c. for the ge-  
neral post office.

For expense of fuel, candles, house rent for the messenger, stationery, chests, &c. pertaining to the postmaster general's office, two thousand five hundred dollars.

For the loan of-  
ficers.

For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars.

For clerks to the  
commissioners of  
loans, &c.

For compensation to the clerks of the several commissioners of loans, and for allowances to certain loan officers in lieu of clerk hire, and to defray the authorized expense of the several loan offices, fifteen thousand dollars.

For the surveyor  
general and  
clerks.

For compensation to the surveyor general and his clerks, three thousand two hundred dollars.

For the survey-  
or of the lands  
south of the state  
of Tennessee,  
clerks, &c.

For compensation to the surveyor of the lands south of the state of Tennessee, clerks employed in his office, and for stationery, and other contingencies, three thousand two hundred dollars.

For the officers  
of the mint.  
Director.

For compensation to the officers of the mint:

Treasurer.

The director, two thousand dollars:

Assayer.

The treasurer, twelve hundred dollars:

Chief coiner.

The assayer, fifteen hundred dollars:

Melter and re-  
finer.

The chief coiner, fifteen hundred dollars:

Engraver.

The melter and refiner, fifteen hundred dollars:

Clerks.

The engraver, twelve hundred dollars:

One clerk, at seven hundred dollars:

And two clerks, at five hundred dollars each, one thousand dollars.

For wages to  
persons employ-  
ed in the mint.

For wages to the persons employed in the different branches of melting, coining, carpenter's, millwright's, and smith's work, including the sum of one thousand dollars per annum, allowed to an assistant coiner and die forger, who also oversees the execution of the iron work, and of six hundred dollars per annum, allowed to an assistant engraver, eight thousand five hundred dollars.

1809.

For repairs of furnaces, cast rollers and screws, timber, bat iron, lead, steel, potash, and for all other contingencies of the mint, three thousand two hundred dollars.

For contingencies of the mint establishment.

For compensation to the governor, judges, and secretary, of the territory of Orleans, thirteen thousand dollars.

For the governor, judges, &c. of Orleans territory.

For incidental and contingent expenses of the executive officers of the said territory, two thousand eight hundred and fifty dollars.

For the contingent expenses of the executive officers of Orleans territory.

For compensation to the governor, judges, and secretary, of the Mississippi territory, seven thousand eight hundred dollars.

For the governor, judges, &c. of the Mississippi territory.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For contingent territorial expenses.

For compensation to the governor, judges, and secretary, of the Indiana territory, six thousand six hundred dollars.

For the governor, judges, &c. of Indiana.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For contingent territorial expenses.

For compensation to the governor, judges, and secretary, of the Michigan territory, six thousand six hundred dollars.

For the governor, judges, &c. of Michigan.

For expense of stationery, office rent, and other contingent expenses of the said territory, three hundred and fifty dollars.

For contingent territorial expenses.

For compensation to the governor, judges, and secretary, of the Louisiana territory, six thousand six hundred dollars.

For the governor, judges, &c. of Louisiana territory.

For expense of stationery, office rent, and other contingent expenses of the said territory, three hundred and fifty dollars.

For the governor, judges, &c. of the Illinois territory.

For compensation to the governor, judges, and secretary, of the Illinois territory, six thousand six hundred dollars.

For contingent territorial expenses.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For the discharge of demands not otherwise provided for, &c.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in a due course of settlement at the treasury, two thousand dollars.

Additional, for the clerks in the several departments, and in the general post office.

For additional compensation to the clerks in the several departments of state, treasury, war, and navy, and of the general post office, not exceeding, for each department, respectively, fifteen per centum, in addition to the sums allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"\* thirteen thousand two hundred and sixty-nine dollars and thirty-three cents.

(\* Ante, ch. 41.)

For compensation granted by law to the chief justice, the associate judges, and district judges, of the United States, including the chief justice and two associate judges for the district of Columbia; to the attorney general, and to the district judge of the territory of Orleans, fifty-nine thousand four hundred dollars.

For the judges and attorney general.

For the like compensation granted to the several district attorneys of the United States, three thousand four hundred dollars.

For the district attorneys.

For compensations granted to the marshals for the districts of Maine, New Hampshire, Vermont, New Jersey, North Carolina, Kentucky, Ohio, East and West Tennessee, and Orleans, including the compensation allowed to the marshals of New Jersey, and North Carolina, for the three last quarters of the year one thousand eight hundred and eight, by the act of the twenty-fifth

For the marshals of the districts mentioned.



1809. of February, one thousand eight hundred and eight,\* two thousand six hundred and fifty dollars.

[Secante, chap. 196.]

For the expenses of courts, jurors, and witnesses, in aid of the funds arising from fines, &c.

For defraying the expenses of the supreme, circuit, and district, courts of the United States, including the district of Columbia, and of jurors, and witnesses, in aid of the funds arising from fines, forfeitures, and penalties, and for defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, forty thousand dollars.

For pensions, &c.

For the payment of sundry pensions granted by the late government, nine hundred and sixty dollars.

For the annual allowance to invalid pensioners.

For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March, one thousand eight hundred and nine, to the fourth day of March, one thousand eight hundred and ten, ninety-eight thousand dollars.

For the support of lighthouses, beacons, buoys, &c.

For the maintenance and support of lighthouses, beacons, buoys, and public piers, stakeages of channels, bars, and shoals, and certain contingent expenses, seventy-nine thousand and thirty-nine dollars and forty cents.

For erecting two lighthouses on Long Island Sound, &c.

For erecting two lighthouses on Long Island Sound; one on Watch Hill Point, and the other on Sands or Watch Point; the following sums, that is to say: the sum of two thousand six hundred and thirty-seven dollars and fifty cents, balance of a former appropriation for these objects, carried to the "surplus fund," and the further sum of five thousand seven hundred dollars, in addition to the appropriations heretofore made for the same objects.

For placing buoys and beacons on or near the shoals and rocks leading into Salem, &c.

For placing buoys and beacons on or near the shoals and rocks in the channel leading into the harbor of Salem, in the state of Massachusetts, in addition to the sums heretofore appropriated for that purpose, sixty-seven dollars and twenty-nine cents.

For rebuilding lighthouses on Plumb island.

For rebuilding two lighthouses on Plumb island, in the state of Massachusetts, ten thousand dollars.

For surveying the public land.

For defraying the expenses of surveying the public land within the several territories of the United States, eighteen thousand two hundred and forty dollars.

For the expenses of the boards for investigating titles, &c. to lands in the territories of Orleans and Louisiana.

For expenses of the boards formed in the territories of Orleans and Louisiana, for investigating and adjusting titles and claims to land, in addition to the sum heretofore appropriated for that object, ten thousand dollars.

For taking the second census.

For the expense of taking the second census of the United States, being the balance of a former appropriation for that object, and carried to the surplus fund, thirteen thousand eight hundred and ninety dollars and ninety-six cents.

For returning the votes of president and vice president.

For the expense of returning the votes of president and vice president of the United States, for the term commencing on the fourth day of March, one thousand eight hundred and nine, one thousand five hundred and ninety-three dollars.

For intercourse with foreign nations.

For expenses of intercourse with foreign nations, thirty-three thousand and fifty dollars.

For contingent expenses of foreign intercourse.

For the contingent expenses of intercourse with foreign nations, seventy-five thousand dollars.

For the expenses of intercourse with the Barbary powers, 1809.  
fifty thousand dollars.

For the contingent expenses of intercourse with the Barbary powers, fifty thousand dollars.

For the relief and protection of distressed American seamen, five thousand dollars.

For the expenses of prosecuting claims in relation to captures, six thousand dollars.

For defraying the expenses of regulating, laying out, and making a road from Cumberland, in the state of Maryland, to the state of Ohio; agreeably to an act of congress, passed the twenty-ninth day of March, one thousand eight hundred and six,\* the balance of a former appropriation, made by the aforesaid act, for that object, having been carried to the surplus fund, sixteen thousand and seventy-five dollars and fifteen cents.

For defraying the expense of opening a road from the frontier of Georgia, on the route from Athens to New Orleans, till the same intersects the thirty-first degree of north latitude, agreeably to an act of congress, passed on the twenty-first day of April, one thousand eight hundred and six,† the balance of a former appropriation for that object having been carried to the surplus fund, two thousand four hundred dollars, and a further sum of five thousand dollars, in addition to the sums heretofore appropriated for that object.

For defraying the expense of opening a road, or roads, through the territory lately ceded by the Indians to the United States, from the Mississippi to the Ohio, and to the former Indian boundary line, which was established by the treaty of Greenville,‡ agreeably to the last above recited act; the balance of a former appropriation made for that object having been carried to the surplus fund; one thousand eight hundred dollars and forty-eight cents.

For defraying the expense of opening a road from Nashville, in the state of Tennessee, to Natchez, in the Mississippi territory, agreeably to the aforesaid act of the twenty-first day of April, one thousand eight hundred and six,§ the balance of a former appropriation for that object having been carried to the surplus fund, three thousand dollars.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, four thousand dollars.

SECT. 2. *And be it further enacted*, That the several appropriations hereinbefore made shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by an act making provision for the debt of the United States,|| and out of any moneys in the treasury, not otherwise appropriated.

[Approved, February 17, 1809.]

For intercourse with the Barbary powers; and contingent expenses of the same.

For the relief, &c. of American seamen.

For prosecuting claims, &c.

For laying out, &c. a road from Cumberland to Ohio.

[\*See ante, chap. 19.]

For the expense of opening a road from the frontier of Georgia, &c. to the 31st degree of north latitude.

[† See ante, sec. 7, chap. 41.]

For the expense of opening roads, &c. from the Mississippi to the Ohio, &c.

[§ See the treaty, page 398, vol. 1.]

For the expense of opening a road from Nashville to Natches.

[§ See ante, sec. 7, chap. 41.]

For the discharge of miscellaneous claims admitted at the treasury, &c.

The preceding appropriations to be paid out of the fund reserved, &c. [§ See chap. 61, vol. 2.]

1809. CHAP. 190. [LXXXVI.] An act extending the right of suffrage in the Indiana territory, and for other purposes.\*

[\*See former act, of 7th May, 1809; chap. 188, vol. 3.]

The citizens of Indiana, &c. to elect a delegate to congress, &c.

[†See chap. 208, vol. 3.]

The sheriff to make returns in 40 days after the election of a delegate, and the governor to give a certificate, &c.

[‡ See sec. 3, ch. 315, post.]

As soon as the governor divides the territory into five districts, the citizens entitled to vote for representatives to the general assembly, &c. to elect one member of the legislative council in each district, &c.

The general assembly empowered to apportion the representatives of the several counties, &c. provided there be not more than 12 nor less than 9, &c.

[§ See act of 15th Dec. 1809; chap. 207, post.]

[¶ Private and obsolete. Supplied by the 24th sec. of the act of 30th of April, 1810; chap. 208, post.]

All letters and packets to Thomas Jefferson, to be carried by the mail, free of postage, during life, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the citizens of the Indiana territory, entitled to vote for representatives to the general assembly thereof, shall, at the time of electing their representatives to the said general assembly, also elect one delegate from the said territory to the congress of the United States, who shall possess the same powers heretofore granted to the delegates from the several territories of the United States;† any thing in the ordinance for the government of the said territory to the contrary notwithstanding.

SECT. 2. *And be it further enacted, That* the sheriffs of the several counties which now are, or may hereafter be, established in the said territory, respectively, shall, within forty days next after an election for a delegate to congress, transmit to the secretary of the territory a certified copy of the returns from the several townships in their counties, respectively.‡ And it shall be the duty of the governor, for the time being, to give to the person having the greatest number of votes, a certificate of his election.

SECT. 3. *And be it further enacted, That, so soon as the governor of the said territory shall divide the same into five districts, the citizens thereof, entitled to vote for representatives to the said general assembly, shall, in each of the said districts, elect one member of the legislative council, who shall possess the same powers heretofore granted to the legislative council in the said territory, and shall hold their offices four years, and no longer; any thing in the ordinance for the government of the said territory to the contrary notwithstanding.*

SECT. 4. *And be it further enacted, That* the general assembly of the said territory shall have power to apportion the representatives of the several counties therein, or which may hereafter be established therein, according to the number of free white male inhabitants, above the age of twenty-one years, in such counties: *Provided, That* there be not more than twelve, nor less than nine, of the whole number of representatives, any act or acts to the contrary notwithstanding, until there shall be six thousand free male white inhabitants, above the age of twenty-one years, in said territory; after which time the number of representatives shall be regulated agreeably to the ordinance for the government thereof.¶ [Approved, February 27, 1809.]

CHAP. 191. [LXXXVII.] An act freeing from postage all letters and packets to Thomas Jefferson ¶

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* all letters and packets to Thomas Jefferson, now president of the United States, after the expiration of his term of office, and during his life, shall be carried by the mail free of postage.

[Approved, February 28, 1809.]

[\* Private and obsolete.]

The proper accounting officers of the treasury directed to settle the account of Daniel Cotton, and allow him for the detention and use of his ship, the Anna Maria, during the time mentioned, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officers of the treasury be, and they are hereby, authorized and directed to settle the account of Daniel Cotton, and allow him for the detention and use of his ship, called the Anna Maria, from the twenty-third day of December, in the year of our Lord one thousand eight hundred, when she was arrested by the bey of Tunis, until the twenty-third day of May following, when she discharged her Tunisian cargo at Marseilles, allowing him, while in port, the usual rate of demurrage, and, while on the voyage, the usual rate of freight, agreeably to the burthen of the said ship; and, after deducting from the whole sum allowed for such detention, demurrage, and freight, five thousand dollars, paid to the master of said ship by William Eaton, then consul for the United States at Tunis, they pay the balance, with interest, to said Daniel Cotton, out of any moneys in the treasury, not otherwise appropriated.

[Approved, February 28, 1809.]

**CHAP. 193. [LXXXIX.]** An act for the disposal of certain tracts of land in the Mississippi territory, claimed under Spanish grants, reported by the land commissioners as antedated, and to confirm the claims of Abraham Ellis and Daniel Harregal.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the several tracts of land in the Mississippi territory, the titles to which have been derived under Spanish claims, and which have been disallowed by the boards of commissioners east and west of Pearl river, on suspicion of the grants, warrants, or orders of survey, on which the claims are grounded, being antedated, or otherwise fraudulent, and which are embraced in the report of the said boards of commissioners laid before congress, agreeable to the third section of an act, entitled "An act supplementary to the act, entitled an act regulating the grants of land, and providing for the disposal of the lands, of the United States south of the state of Tennessee,"† shall be, and the same are hereby, directed to be sold, in the same manner, at the same price, and on the same terms and conditions, as have been, or may be, by law provided for the sale of the other public lands in the said territory; and any person or persons claiming under a Spanish grant, warrant, or order of survey, as aforesaid, shall be entitled to institute, in the highest court of law or equity in the said territory, his or their suit or action for the recovery of the tract or tracts so claimed as aforesaid: *Provided,* such claimant or claimants shall institute his or their suit or action within the term of one year from and after the tract or tracts so claimed shall have been sold by the United States; or, in case the same is now inhabited and cultivated in virtue of a pre-emption right, within one year from and after the passing of this act; and if any

The several tracts of land in the Mississippi territory, the titles to which have been derived under Spanish claims, and disallowed by the boards of commissioners, &c. on suspicion of the grants, &c. being antedated, &c. to be sold, &c.

[† Chap. 414, vol. 3.]

Persons claiming, &c. entitled to institute suit, &c. for the recovery of the tracts, &c.

Proviso: claimants to institute suit within one year, &c.

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Persons failing to commence suit, &c. are forever barred.

person or persons claiming lands as aforesaid, shall fail or neglect to commence or institute his or their suit or action, in the manner and within the time prescribed by this section, or shall be nonsuit, or discontinue the same, his or their right to commence such suit or action, in any court whatsoever, shall be forever barred and foreclosed.

If persons claiming, &c. make it appear, &c. that the tract was surveyed prior to the 27th of Oct. 1798, the grant, &c. is valid, &c.

SECT. 2. *And be it further enacted,* That if the person or persons claiming under such grant, warrant, or order of survey, shall make it appear, to the satisfaction of the court before whom such suit or action shall be pending, that the tract of land therein specified was actually surveyed prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, then, and in that case, the same shall be deemed and held to be good and valid, to all intents and purposes, any thing in this act to the contrary notwithstanding: But in case the claimant or claimants shall fail to prove the tract or tracts of land so claimed, to have been actually surveyed prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, or in case the same shall appear to be otherwise fraudulent or illegal, the grant, warrant, or order of survey, granted by the Spanish government, as aforesaid, by virtue of which such tract or tracts of land may be claimed, shall be, and the same is hereby declared, null and void, to all intents and purposes, and shall not be read in evidence against any claim or certificate of pre-emption derived from the United States.

In the trial, either party may introduce parole evidence, &c.

The judgment, &c. to be final, and may be plead in bar, &c.

SECT. 3. *And be it further enacted,* That it shall be lawful, in the trial of such suit or action, for either party to introduce parole evidence, for the purpose of supporting or invalidating the grant, warrant, or order of survey, as aforesaid; and the judgment, sentence, or decree, of the said highest court of law or equity, in the cases aforesaid, shall be final and conclusive between the parties, and may be plead in bar to any subsequent suit or action brought in the same or any other court, for the recovery of the same land, or any part thereof.

[† Private.] Abraham Ellis confirmed in a tract of land granted by the British government of West Florida to Stephen Jordan, containing 200 acres, &c. The money paid by Ellis to be refunded by the receiver, &c.

SECT. 4.\* *And be it further enacted,* That Abraham Ellis be, and he is hereby, confirmed in a tract of land granted by the British government of West Florida to Stephen Jordan, containing the quantity of two hundred acres, lying and being on the waters of Boyd's creek, according to the metes and bounds of said tract of land, set forth in the plat thereof made by the surveyor general of said province of West Florida; and that the amount of money which the said Ellis may have been compelled to pay to the receiver of public moneys west of Pearl river, in the Mississippi territory, for said tract of land, be refunded to him by the receiver aforesaid.

[† Private.] Daniel Harregal confirmed in his title, &c. to the tract whereon he resides, containing 400 acres, &c.

SECT. 5.† *And be it further enacted,* That Daniel Harregal be, and he is hereby, confirmed in his title, in fee simple, to the tract of land whereon he resides, containing the quantity of five hundred and fifty acres, agreeably to a plat thereof, filed with the register of the land office west of Pearl river, in the Mississippi territory. [Approved, February 28, 1809.]

CHAP. 104. [XC.] An act for the relief of certain Alabama and Wyandot Indians.

1809.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to cause to be surveyed and designated, by proper metes and bounds, a tract of land, not exceeding two thousand five hundred acres, out of any lands of the United States lying in the territory of Orleans, and west of the river Mississippi, and, by lease, vest the said tract of land in a certain tribe of Alabama Indians and their descendants, for the term of fifty years: *Provided, nevertheless,* That it shall not be lawful for the said tribe of Indians to transfer or assign their interest in the said land, and every such transfer or assignment shall be null and void: *And provided also,* That if the said tribe of Indians shall remove from the said tract of land, their interest in and to the same shall thenceforth cease and determine.

The president authorized to cause to be surveyed, &c. a tract of land, not exceeding 2,500 acres, in the territory of Orleans, &c. and vest the same, by lease, in a tribe of Alabama Indians, &c. for 50 years.

Provido; the Indians not to transfer their interest, &c.

Provido; if the Indians remove, their interest ceases.

SECT. 2. *And be it further enacted,* That there shall be designated, under the direction of the secretary of the treasury, two tracts of land in the Michigan territory, one including the village called Brownstown, and the other the village called Maguaga, in the possession of the Wyandot tribe of Indians, containing, in the whole, not more than five thousand acres; which two tracts of land shall be reserved for the use of the said Wyandots and their descendants, and be secured to them in the same manner, and on the same terms and conditions, as is provided in relation to the Alabama Indians, by the first section of this act. [*Approved, February 28, 1809.*]

Two tracts of land to be designated in the Michigan territory, including the villages of Brownstown and Maguaga, &c. not exceeding 5,000 acres, to be reserved for the use of the Wyandots, &c.

CHAP. 195. [XCI.] An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies; and for other purposes.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the passing of this act, the entrance of the harbors and waters of the United States, and of the territories thereof, be, and the same is hereby, interdicted to all public ships and vessels belonging to Great Britain or France, excepting vessels only which may be forced in by distress, or which are charged with despatches or business from the government to which they belong, and also packets having no cargo nor merchandise on board. And if any public ship or vessel as aforesaid, not being included in the exception above mentioned, shall enter any harbor or waters within the jurisdiction of the United States, or of the territories thereof, it shall be lawful for the president of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land and naval forces, or of the militia of the United States, or the territories thereof, as he shall deem necessary, to compel such ship or vessel to depart.

[\* Expired or obsolete. See act of 28th June, 1809; chap. 217, post.]

The entrance of the harbors and waters of the United States, &c. interdicted to all public vessels belonging to Great Britain or France, after the 1st March, 1809, unless forced in by distress, charged with despatches, &c.

Any public vessel entering, &c. and not excepted, the president, &c. may employ the land and naval forces, &c. to compel her to depart.

1809.

Citizens or residents not to have intercourse nor furnish supplies to vessels entering the waters of the United States contrary to this act, &c.

Persons having intercourse with vessels, except to pilot them beyond the limits, &c. to forfeit from 100 to 10,000 dollars, and to suffer imprisonment, from one month to one year.

After the 20th of May, 1809, the entrance of the harbors and waters of the United States, &c. interdicted to vessels sailing under the flag of Great Britain or France, &c. except vessels employed by government, or in distress, &c.

Vessels sailing under the British or French flag, &c. and not excepted, arriving within the limits of the United States, &c. to be forfeited, with their cargoes, &c.

All acts within the purview of this act, repealed.

After the 20th of May, 1809, the importation of French and British merchandise prohibited, &c.

**SECT. 2.** *And be it further enacted,* That it shall not be lawful for any citizen or citizens of the United States, or the territories thereof, nor for any person or persons residing or being in the same, to have any intercourse with, or to afford any aid or supplies to, any public ship or vessel as aforesaid, which shall, contrary to the provisions of this act, have entered any harbor or waters within the jurisdiction of the United States, or the territories thereof; and if any person shall, contrary to the provisions of this act, have any intercourse with such ship or vessel, or shall afford any aid to such ship or vessel, either in repairing the said vessel, or in furnishing her officers or crew, with supplies of any kind, or in any manner whatever, or if any pilot or other person shall assist in navigating or piloting such ship or vessel, unless it be for the purpose of carrying her beyond the limits and jurisdiction of the United States, every person so offending shall forfeit and pay a sum, not less than one hundred dollars, nor exceeding ten thousand dollars; and shall also be imprisoned, for a term not less than one month, nor more than one year.

**SECT. 3.** *And be it further enacted,* That, from and after the twentieth day of May next, the entrance of the harbors and waters of the United States, and the territories thereof, be, and the same is hereby, interdicted to all ships or vessels sailing under the flag of Great Britain or France, or owned, in whole or in part, by any citizen or subject of either; vessels hired, chartered, or employed, by the government of either country, for the sole purpose of carrying letters or despatches, and also vessels forced in by distress, or by the dangers of the sea, only excepted. And if any ship or vessel, sailing under the flag of Great Britain or France, or owned, in whole or in part, by any citizen or subject of either, and not excepted as aforesaid, shall, after the said twentieth day of May next, arrive, either with or without a cargo, within the limits of the United States, or of the territories thereof, such ship or vessel, together with the cargo, if any, which may be found on board, shall be forfeited, and may be seized, and condemned in any court of the United States, or the territories thereof, having competent jurisdiction; and all and every act and acts, heretofore passed, which shall be within the purview of this act, shall be, and the same are hereby, repealed.

**SECT. 4.** *And be it further enacted,* That, from and after the twentieth day of May next, it shall not be lawful to import into the United States, or the territories thereof, any goods, wares, or merchandise, whatever, from any port or place situated in Great Britain, or Ireland, or in any of the colonies or dependencies of Great Britain, nor from any port or place situated in France, or in any of her colonies or dependencies, nor from any port or place in the actual possession of either Great Britain or France. Nor shall it be lawful to import into the United States, or the territories thereof, from any foreign port or place whatever, any goods, wares, or merchandise, whatever, being of the growth, produce, or manufacture, of France, or of any of her colonies or dependencies, or being of the growth, produce, or manufacture, of Great Britain or Ireland, or of any of the colonies or dependen-

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ies of Great Britain, or being of the growth, produce, or manufacture, of any place or country in the actual possession of either France or Great Britain: *Provided*, That nothing herein contained shall be construed to affect the cargoes of ships or vessels wholly owned by a citizen or citizens of the United States, which had cleared for any port beyond the Cape of Good Hope, prior to the twenty-second day of December, one thousand eight hundred and seven, or which had departed for such port by permission of the president, under the acts supplementary to the act laying an embargo on all ships and vessels in the ports and harbors of the United States.

*Proviso*; nothing herein to affect the cargoes of vessels wholly owned by citizens, which cleared for any port beyond the Cape of Good Hope prior to the 22d of Dec. 1807, or, &c.

**SECT. 5.** *And be it further enacted*, That whenever any article or articles, the importation of which is prohibited by this act, shall, after the twentieth of May, be imported into the United States, or the territories thereof, contrary to the true intent and meaning of this act, or shall, after the said twentieth of May, be put on board of any ship or vessel, boat, raft, or carriage, with intention of importing the same into the United States, or the territories thereof, all such articles, as well as all other articles on board the same ship or vessel, boat, raft, or carriage, belonging to the owner of such prohibited articles, shall be forfeited; and the owner thereof shall moreover forfeit and pay treble the value of such articles.

Prohibited articles imported after the 30th of May, or put on board any vessel, &c. with intention to import, &c. to be forfeited, together with all other articles on board belonging to the owner, &c.

**SECT. 6.** *And be it further enacted*, That if any article or articles, the importation of which is prohibited by this act, shall, after the twentieth of May, be put on board of any ship or vessel, boat, raft, or carriage, with intention to import the same into the United States, or the territories thereof, contrary to the true intent and meaning of this act, and with the knowledge of the owner or master of such ship or vessel, boat, raft, or carriage, such ship or vessel, boat, raft, or carriage, shall be forfeited, and the owner and master thereof shall moreover, each, forfeit and pay treble the value of such articles.

The owner to pay treble value, &c.

Vessels on board of which prohibited articles are put after the 30th May, 1809, with intention to import, &c. with the knowledge of the owner, &c. to be forfeited, and the owner, &c. to pay treble value, &c.

**SECT. 7.** *And be it further enacted*, That if any article or articles, the importation of which is prohibited by this act, and which shall, nevertheless, be on board of any ship or vessel, boat, raft, or carriage, arriving, after the said twentieth of May next, in the United States, or the territories thereof, shall be omitted in the manifest, report, or entry, of the master, or the person having the charge or command of such ship or vessel, boat, raft, or carriage, or shall be omitted in the entry of the goods owned by the owner or consigned to the consignee of such articles, or shall be imported, or landed, or attempted to be imported or landed, without a permit, the same penalties, fines, and forfeitures, shall be incurred, and may be recovered, as in the case of similar omission or omissions, landing, importation, or attempt to land or import, in relation to articles liable to duties on their importation into the United States.

Prohibited articles arriving after the 30th of May, 1809, and omitted in the manifest, &c. or landed, &c. without a permit, liable to the same penalties, &c. as in case of similar omissions, &c. in relation to articles subject to duties.

**SECT. 8.** *And be it further enacted*, That every collector, naval officer, surveyor, or other officer of the customs, shall have the like power and authority to seize goods, wares, and merchandise, imported contrary to the intent and meaning of this act,

Collectors of the customs, &c. to have the same authority to seize goods, &c. as they have by law with re-



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subject to goods,  
&c. subject to  
duty.

Persons concealing or buying goods, knowing them to be liable to seizure by this act, so pay double the value, &c.

Additions to be made to the oath to be taken by the masters of vessels arriving after the 30th May, 1809.

Form of the adjunction.

Addition to be made to the oath of importers, &c. after the 30th May, 1809.

Form of the adjunction.

The president authorized, in case France or Great Britain so revoke or modify their edicts, &c. to declare the same by proclamation, after which the trade suspended by this act, &c. may be renewed.

to keep the same in custody until it shall have been ascertained whether the same have been forfeited or not, and to enter any ship or vessel, dwellinghouse, store, building, or other place, for the purpose of searching for, and seizing, any such goods, wares and merchandise, which he or they now have by law in relation to goods, wares, and merchandise, subject to duty; and if any person or persons shall conceal or buy any goods, wares, or merchandise, knowing them to be liable to seizure by this act, such person or persons shall, on conviction thereof, forfeit and pay a sum double the amount or value of the goods, wares, and merchandise, so concealed or purchased.

SECT. 9. *And be it further enacted, That the following additions shall be made to the oath or affirmation taken by the masters, or persons having the charge or command of any ship or vessel arriving at any port of the United States, or the territories thereof, after the twentieth of May, viz: "I further swear, (or affirm) that there are not, to the best of my knowledge and belief, on board, [insert the denomination and name of the vessel] any goods, wares, or merchandise, the importation of which into the United States, or the territories thereof, is prohibited by law: And I do further swear (or affirm) that if I shall hereafter discover or know of any such goods, wares, or merchandise, on board the said vessel, or which shall have been imported in the same, I will immediately, and without delay, make due report thereof to the collector of the port of this district."*

SECT. 10. *And be it further enacted, That the following addition be made, after the twentieth of May, to the oath or affirmation taken by importers, consignees, or agents, at the time of entering goods imported into the United States, or the territories thereof, viz: "I also swear, (or affirm) that there are not, to the best of my knowledge and belief, amongst the said goods, wares, and merchandise, imported or consigned as aforesaid, any goods, wares, or merchandise, the importation of which into the United States, or the territories thereof, is prohibited by law: and I do further swear (or affirm) that if I shall hereafter discover or know of any such goods, wares, or merchandise, amongst the said goods, wares, and merchandise, imported or consigned as aforesaid, I will immediately, and without delay, report the same to the collector of this district."*

SECT. 11. *And be it further enacted, That the president of the United States be, and he hereby is, authorized, in case either France or Great Britain shall so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, to declare the same by proclamation; after which the trade of the United States, suspended by this act, and by the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and the several acts supplementary thereto, may be renewed with the nation so doing: (a)*

(a) In consequence of this provision, and the official written declaration of David Montague Erskine, his Britannic majesty's envoy extraordinary and minister plenipotentiary near the American government, that the British orders in council of January and November, 1807, would have been withdrawn,

**Provided,** That all penalties and forfeitures which shall have been previously incurred, by virtue of this or of any other act, the operation of which shall so cease and determine, shall be recovered and distributed in like manner as if the same had continued in full force and virtue: and vessels bound thereafter to any foreign port or place, with which commercial intercourse shall, by virtue of this section, be again permitted, shall give bond to the United States, with approved security, in double the value of the vessel and cargo, that they shall not proceed to any foreign port, nor trade with any country other than those with which commercial intercourse shall have been, or may be, permitted by this act.

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**Provido;** penalties and forfeitures previously incurred, &c. to be recovered and distributed, &c. Vessels bound, after revival of intercourse, &c. to any foreign port, &c. to give bond, &c. not to trade with any country other than those permitted.

**SECT. 12.** *And be it further enacted,* That so much of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and of the several acts supplementary thereto, as forbids the departure of vessels owned by citizens of the United States, and the exportation of domestic and foreign merchandise, to any foreign port or place, be, and the same is hereby, repealed, after the fifteenth day of March, one thousand eight hundred and nine, except so far as they relate to Great Britain or France, or their colonies or dependencies, or places in the actual possession of either: **Provided,** That all penalties and forfeitures which shall have been previously incurred by virtue of so much of the said acts as is repealed by this act, or which have been, or may hereafter be, incurred by virtue of the said acts, on account of any infraction of so much of the said acts as is not repealed by this act, shall be recovered and distributed in like manner as if the said acts had continued in full force and virtue.

So much of the act laying an embargo, &c. as forbids the departure of vessels owned by citizens, and the exportation of merchandise, &c. repealed after the 15th March, 1809, except as to Great Britain or France, &c.

**Provido;** penalties and forfeitures previously incurred, &c. to be recovered and distributed, &c.

**SECT. 13.** *And be it further enacted,* That, during the continuance of so much of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and of the several acts supplementary thereto, as is not repealed by this act, no ship or vessel bound to a foreign port, with which commercial intercourse shall, by virtue of this act, be again permitted, shall be allowed to depart for such port, unless the owner or owners, consignee, or factor, of such ship or vessel, shall, with the master, have given bond, with one or more sureties, to the United States, in a sum double the value of the vessel and cargo, if the vessel is wholly owned by a citizen or citizens of the United States; and in a sum four times the value, if the vessel is owned, in part or in whole, by any foreigner or foreigners,

During the continuance of so much of the act laying an embargo, &c. as is not repealed by this act, no vessel bound to a foreign port, &c. allowed to depart, &c. unless the owner, with the master, &c. gives bond, &c. not unless every other requisite required, &c. has been complied with, &c.

as respects the United States, on the 10th of June, 1809, James Madison, then president of the United States, proclaimed, on the 19th of April, 1809, the fact announced by Mr. Erskine, and that, after the 10th of June, 1809, the trade of the United States with Great Britain, as suspended by the above act of congress, &c. might be renewed.

On the 9th day of August, 1809, president Madison issued another proclamation, stating, that it had been officially made known to him that the orders in council had not been withdrawn agreeably to the above communication and declaration of his Britannic majesty's envoy extraordinary and minister plenipotentiary, and that, consequently, the trade, renewable on the event of the said orders' being withdrawn, was to be considered as under the operation of the several acts by which such trade was suspended.

1809.

[Ante, ch. 17.]

The parties, &c. within a reasonable time, to produce a certificate of the landing of the goods, &c.

[† See sec. 81, ch. 122, vol. 3.]  
The bond to be put in suit, on failure, &c.

So much of the act laying an embargo, &c. as compels vessels owned by citizens of the United States, bound to another port of the same, or licensed for the coasting trade, &c. to give bond, &c. except &c. repealed after the 15th of March, 1809.

Provido; all penalties and forfeitures previously incurred, &c. to be recovered and distributed, &c.

During the continuance of the act laying an embargo, &c. no vessel owned by citizens of the United States, bound to another port of the same, or licensed for the coasting trade, &c. to depart, &c. without a permit, and &c., &c.

that the vessel shall not leave the port without a clearance, nor shall, when leaving the port, proceed to any port or place in Great Britain or France, or in the colonies or dependencies of either, or in the actual possession of either, nor be directly or indirectly engaged, during the voyage, in any trade with such port, nor shall put any article on board of any other vessel; nor unless every other requisite and provision of the second section of the act, entitled "An act to enforce and make more effectual an act, entitled 'An act laying an embargo on all ships and vessels in the ports and harbors of the United States,' and the several acts supplementary thereto,"\* shall have been complied with. And the party or parties to the above mentioned bond shall, within a reasonable time after the date of the same, to be expressed in the said bond, produce, to the collector of the district from which the vessel shall have been cleared, a certificate of the landing of the same, in the same manner as is provided by law for the landing of goods exported with the privilege of drawback;† on failure whereof the bond shall be put in suit; and in every such suit judgment shall be given against the defendant or defendants, unless proof shall be produced of such relanding, or of loss at sea.

SECT. 14. *And be it further enacted*, 'That so much of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and of the several acts supplementary thereto, as compels vessels owned by citizens of the United States, bound to another port of the said states, or vessels licensed for the coasting trade, or boats, either not masted or not decked, to give bond, and to load under the inspection of a revenue officer, or renders them liable to detention, merely on account of the nature of their cargo, (such provisions excepted as relate to collection districts adjacent to the territories, colonies, or provinces, of a foreign nation, or to vessels belonging or bound to such districts) be, and the same is hereby, repealed, from and after the fifteenth day of March, one thousand eight hundred and nine: *Provided, however*, That all penalties and forfeitures which shall have been previously incurred by any of the said acts, or which may hereafter be incurred by virtue of the said acts, on account of any infraction of so much of the said acts as is not repealed by this act, shall be recovered and distributed in like manner as if the same had continued in full force and virtue.

SECT. 15. *And be it further enacted*, That, during the continuance of so much of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and of the several acts supplementary thereto, as is not repealed by this act, no vessel owned by citizens of the United States, bound to another port of the said states, or licensed for the coasting trade, shall be allowed to depart from any port of the United States, or shall receive a clearance, nor shall it be lawful to put on board any such vessel any specie, or goods, wares, or merchandise, unless a permit shall have been previously obtained from the proper collector, or from a revenue officer authorized by the collector to grant such permits; nor unless the owner, consignee, agent,

a factor shall, with the master, give bond, with one or more sureties, to the United States, in a sum double the value of the vessel and cargo, that the vessel shall not proceed to any foreign port or place, and that the cargo shall be reloaded in some port of the United States: *Provided*, That it shall be lawful and sufficient in the case of any such vessel, whose employment has been uniformly confined to rivers, bays, and sounds, within the jurisdiction of the United States, to give bond in an amount equal to one hundred and fifty dollars for each ton of said vessel, with condition that such vessel shall not, during the time limited in the condition of the bond, proceed to any foreign port or place, or put any article on board of any other vessel, or be employed in any foreign trade.

**SECT. 16.** *And be it further enacted*, That if any ship or vessel shall, during the continuance of so much of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and of the several acts supplementary thereto, as is not repealed by this act, depart from any port of the United States without a clearance or permit, or having given bond in the manner provided by law, such ship or vessel, together with her cargo, shall be wholly forfeited; and the owner or owners, agent, freighter, or factors, master, or commander, of such ship or vessel, shall, moreover, severally, forfeit and pay a sum equal to the value of the ship or vessel, and of the cargo put on board the same.

**SECT. 17.** *And be it further enacted*, That the act to prohibit the importation of certain goods, wares, and merchandise, passed the eighteenth of April, one thousand eight hundred and six,\* and the act supplementary thereto,† be and the same are hereby, repealed, from and after the said twentieth day of May next: *Provided*, That all penalties and forfeitures which shall have been previously incurred by virtue of the said acts, shall be recovered and distributed in like manner as if the said acts had continued in full force and virtue.

**SECT. 18.** *And be it further enacted*, That all penalties and forfeitures arising under, or incurred by, virtue of this act, may be sued for, prosecuted, and recovered, with costs of suit, by action of debt, in the name of the United States of America, or by indictment, or information, in any court having competent jurisdiction to try the same; and shall be distributed and accounted for in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage,"‡ passed the second day of March, one thousand seven hundred and ninety-nine; and such penalties and forfeitures may be examined, mitigated, or remitted, in like manner, and under the like conditions, regulations, and restrictions, as are prescribed, authorized, and directed, by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned,"§ passed the third day of March, one thousand seven hundred and ninety-seven, and made perpetual by an act passed the eleventh day of February, one thousand eight hundred.

1809.

*proviso; it is sufficient, in the case of any vessel whose employment has been uniformly confined to rivers, bays, &c. to give bond in an amount equal to 150 dollars for each ton, &c.*

*If any vessel, during the continuance of so much of the act laying an embargo as is not repealed, &c. departs without a clearance, or permit, or giving bond, &c. she, with the cargo, is forfeited, and the owner, &c. to pay a sum equal to the value, &c.*

*The act prohibiting the importation of certain goods, &c. repealed, after the 20th May, 1806. [\* Ante, ch. 39.] [† Ante, ch. 130.]*

*Proviso; penalties and forfeitures previously incurred, to be recovered and distributed.*

*All penalties and forfeitures under this act, may be sued for, recovered, &c. by action of debt, indictment, &c. and to be distributed as prescribed by the act mentioned.*

*[Ch. 125, vol. 5.]*

*And the penalties, &c. may be mitigated, &c. as directed by the act referred to.*

*[Ch. 361, vol. 3.]*

1809.

This act to be in force until the 30th June, 1809. The act laying an embargo, &c. repealed after the 30th June, 1809.

[\* See act of the 38th of June, 1809: chap. 317, post: and act of 1st May, 1810; chap. 264, post.]

**SECT. 19.** *And be it further enacted, That this act shall continue and be in force until the end of the next session of congress, and no longer; and that the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and the several acts supplementary thereto, shall be, and the same are hereby, repealed from and after the end of the next session of congress.\** [Approved, March 1, 1809.]

[Obsolete.]

**CHAP. 196.** [XCII.] An act making provision for the further accommodation of the household of the president of the United States.†

The president empowered, after the 3d of March, 1810, to cause to be sold such articles of the president's household as may be decayed, &c. The proceeds of the sale, and not exceeding 14,000 dollars, appropriated for articles of furniture for the president's household, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That, after the third day of March next, the president of the United States be, and he is hereby, authorized and empowered to cause to be sold, such articles, furnished by the United States for the president's household, as may be decayed, out of repair, or unfit for use; and that the proceeds of such sale, and so much of a sum, not exceeding fourteen thousand dollars, in addition thereto, out of any money in the treasury, not otherwise appropriated, as the president of the United States may judge necessary, be, and hereby are, appropriated for the accommodation of the household of the president, to be laid out and expended for such articles of furniture as he shall direct.*

[Approved, March 2, 1809.]

**CHAP. 197.** [XCIII.] An act to extend the time for making payment for the public lands of the United States.

Persons who have purchased public lands, &c. except sales by virtue of pre-emption, &c. and whose lands have not been sold, or reverted, for nonpayment, &c. allowed a further term of two years for the payment of the residue of the principal of the purchase money, &c.

The two years to be calculated from the expiration of one year after the last payment was due. Conditions, &c.

Arrears of interest, &c. must have been paid.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That every person who hath heretofore purchased any of the public lands of the United States, at any of the land offices established for the disposal of the said lands, whether such purchase was made at public or private sale, (sales by virtue of a pre-emption right only excepted,) and whose lands have not already been actually sold, or reverted to the United States, for nonpayment of part of the purchase money, and the time for making the last payment on account of such purchase, according to former laws, may have expired, or shall expire, on or before the first day of January next, shall be allowed a further term of two years for the payment of the residue of the principal due on account of such purchase; which further term of two years shall be calculated to commence from the expiration of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due; and shall be allowed only on the following conditions; that is to say: First, That all the arrears of interest, on the land purchased, to the end of one year from and after the day on which the last payment on account of such purchase should, according to former*

... have become due, shall have been paid at or before the end of such year. Second, That the residue of the sum, due on account of the principal of such purchase, shall be paid, with interest thereon, in two equal annual payments, viz: one-half of the said residue, with the interest which may then be due thereon, within one year; and the other half of the said residue, with the interest which may then be due thereon, within two years after the expiration of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due. And, in case of failure in paying either the arrears of interest on each of the two instalments of principal, with the accruing interest, at the time and times abovementioned, the tract of land shall be forthwith advertised and offered for sale, in the manner, and on the terms and conditions, now prescribed for the sale of lands purchased from the United States, and not paid for within the limited time; and shall revert, in like manner, to the United States, if the sum due, with interest, be not at such sale bidden and paid.\*

1809.

The residue of the principal, with interest, to be paid in two equal annual payments, &c.

In case of failure in paying, &c. the tract to be offered for sale, and to revert, &c.

(\* See act of 30th April, 1810; ch. 361, post.)

[Approved, March 2, 1809.]

#### CHAP. 198. [XCIV.] An act further to amend the judicial system of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, in case of the disability of the district judge of either of the districts of the United States to hold a district court, and to perform the duties of his office, and satisfactory evidence thereof being shown to the justice of the supreme court, allotted to that circuit in which such district court ought by law to be holden; and on application of the district attorney, or marshal, of such district, in writing, to the said justice of the supreme court, said justice of the supreme court shall thereupon issue his order, in the nature of a certiorari, directed to the clerk of such district court, requiring him forthwith to certify into the next circuit court to be holden in said district, all actions, suits, causes, pleas, or processes, civil or criminal, of what nature or kind soever, that may be depending in said district court and undetermined, with all the proceedings thereon, and all files and papers relating thereto; which said order shall be immediately published in one or more newspapers, printed in said district, and at least thirty days before the session of such circuit court, and shall be deemed a sufficient notification to all concerned. And the said circuit court shall thereupon have the same cognizance of all such actions, suits, causes, pleas, or processes, civil or criminal, of what nature or kind soever, and in the like manner as the district court of said district by law might have, of the circuit court, had the same been originally commenced therein; and shall proceed to hear and determine the same accordingly; and the said justice of the supreme court, during the continuance of such disability, shall, moreover, be invested with, and exercise, all and singular

In case of the disability of a district judge to hold a court, &c. and on evidence, and application to the justice of the supreme court, allotted to the circuit in which such district court ought to be holden, by the district attorney or marshal, the justice to issue an order to the clerk, directing him to certify into the next circuit court all actions, suits, &c.

The order to be published in one or more newspapers of the district, &c.

The circuit court to have cognizance, &c.

The justice of the supreme court to exercise the powers of the district judge

1809.

During the disability.  
Bonds, &c. taken for the district court, to be construed as taken to the circuit court, &c.

Provided, nothing in this act to require the judge of the supreme court, to hold any court, &c. at any other time than the legal time, &c.

The clerk of the district court, during the continuance of the disability of the district judge, to continue to certify and transmit suits, &c. to the circuit court, &c.

Provided, when the disability of the district judge ceases, suits, &c. then pending, to be remanded from the circuit court, &c.

In case of inability of a district judge to discharge his duties, the district clerk, by leave of the circuit judge, to take examinations and depositions of witnesses, &c.

the powers and authority vested by law in the judge of the district court in said district. And all bonds and recognisances taken for, or returnable to, such district court, shall be construed and taken to be to the circuit court, to be holden thereafter, in pursuance of this act, and shall have the same force and effect in such circuit court as they could have had in the district court to which they were taken: *Provided*, That nothing in this act contained shall be so construed as to require of the judge of the supreme court, within whose circuit such district may lie, to hold any special court, or court of admiralty, at any other time than the legal time for holding the circuit court of the United States in and for such district.

**SECT. 2.** *And be it further enacted*, That the clerk of such district court shall, during the continuance of the disability of the district judge, continue to certify, as aforesaid, all suits or actions, of what nature or kind soever, which may thereafter be brought to such district court, and the same transmit, to the circuit court next thereafter to be holden in the same district; and the said circuit court shall have cognizance of the same in like manner as is hereinbefore provided in this act, and shall proceed to hear and determine the same: *Provided, nevertheless*, That when the disability of the district judge shall cease or be removed, all suits or actions then pending and undetermined in the circuit court, in which by law the district courts have an exclusive original cognizance, shall be remanded, and the clerk of the said circuit court shall transmit the same, pursuant to the order of said court, with all matters and things relating thereto, to the district court next thereafter to be holden in said district, and the same proceedings shall be had therein in said district court, as would have been had the same originated, or been continued, in the said district court.

**SECT. 3.** *And be it further enacted*, That, in case of the disability of a district judge in any district being unable to discharge his duties, as aforesaid, the district clerk of such district shall be authorized and empowered, by leave or order of the circuit judge of the circuit in which such district is included, to take, during such disability of the district judge, all examinations and depositions of witnesses, and make all necessary rules and orders preparatory to the final hearing of all causes of admiralty and maritime jurisdiction. [Approved, March 2, 1809.]

CHAP. 199. [XCV.] An act further to amend the several acts for the establishment and regulation of the treasury, war, and navy, departments.

All warrants drawn by the secretaries of the treasury, war, or navy, upon the treasurer, to specify the particular appropriation, &c. The money paid, &c. to be charged to the specific

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all warrants drawn by the secretary of the treasury, or of war, or of the navy, upon the treasurer of the United States, shall specify the particular appropriation or appropriations to which the same should be charged: The moneys paid by virtue of such warrants shall, in conformity therewith, be charged to such ap-

reapportionment or appropriations, in the books kept in the office of the comptroller of the treasury, in the case of warrants drawn by the secretary of the treasury, and in the books of the accountants of the war or navy departments, respectively, in the case of warrants drawn by the secretary of war, or by the secretary of the navy; and the officers, agents, or other persons, who may be receivers of public moneys shall render distinct accounts of the application of such moneys according to the appropriation or appropriations under which the same shall have been drawn; and the secretary of war and of the navy shall, on the first day of January, in each and every year, severally report to congress a distinct account of the expenditure and application of all such sums of money as may, prior to the thirtieth day of September preceding, have been by them, respectively, drawn from the treasury in virtue of the appropriation law of the preceding year; and the sums appropriated by law for each branch of expenditure in the several departments shall be solely applied to the objects for which they are, respectively, appropriated, and to no other: *Provided, nevertheless*, That, during the recess of congress, the president of the United States may, and he is hereby authorized, on the application of the secretary of the proper department, and not otherwise, to direct, if in his opinion necessary for the public service, that a portion of the moneys appropriated for a particular branch of expenditure in that department, be applied to another branch of expenditure in the same department; in which case a special account of the moneys thus transferred, and of their application, shall be laid before congress during the first week of their next ensuing session.

**SECT. 2.** *And be it further enacted*, That it shall be the duty of the comptroller of the treasury, in every case where, in his opinion, further delays would be injurious to the United States, and he is hereby authorized, to direct the auditor of the treasury, and the accountants of the war and navy departments, at any time, forthwith to audit and settle any particular account which the said officers may be, respectively, authorized to audit and settle, and to report such settlement for his revision and final decision. And the said comptroller shall also lay an annual statement before congress, during the first week of their session, of the accounts in the treasury, war, or navy, departments, which may have remained more than three years unsettled, or on which balances appear to have been due more than three years, prior to the thirtieth of September then last past, together with a statement of the causes which have prevented the settlement of the accounts, or the recovery of the balances, due to the United States.

**SECT. 3.** *And be it further enacted*, That, exclusively of the purveyor of public supplies, paymasters of the army, pursers\* of the navy, military agents, and other officers already authorized by law, no other permanent agents shall be appointed, either for the purpose of making contracts, or for the purchase of supplies, or for the disbursement in any other manner, of moneys for the use of the military establishment, or of the navy of the United

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appropriation, &amp;c.

Officers, agents &c. to render distinct accounts of the application of public moneys according to the appropriation, &c. The secretaries of war and navy, on the 1st Jan. in each year, to report to congress a distinct account of expenditures, &c.

The sums appropriated for each branch of expenditure to be solely applied, &c. *Provided*; during the recess the president may, on application of the secretary, &c. direct a portion of the moneys appropriated for a particular branch of expenditure to be applied to another branch in the same, &c. A special account of the moneys transferred, &c. to be laid before congress, &c.

The comptroller of the treasury, where he thinks further delays would be injurious, &c. to direct the auditor, and accountants of war and navy, forthwith to audit and settle any particular account, &c. and report for his revision, &c. The comptroller to lay an annual statement before congress, &c. of the accounts in the treasury, war, and navy departments, and of balances, of more than three years' standing, &c.

[\*Sec. sec. 6, ch. 370, post.] Exclusively of the purveyor, &c. no other permanent agents to be appointed for making contracts, &c. for the military or naval establishments, unless by the president and senate.



1809.

Proviso; the president may appoint such agents in the recess, &c.

The president may fix the number and compensation of the agents.

Proviso; the compensation not to exceed one per cent, &c.

Every agent, purser, &c. to give bond, &c.

The paymaster of the army, purveyor, &c. when practicable, to keep the public moneys in some incorporated bank, &c. make monthly returns, &c.

All purchases and contracts for supplies, &c. under the direction of the secretary of the treasury, of war, or of the navy, to be made by open purchase, or previously advertising, &c. An annual statement of contracts, purchases, and expenditure, &c. to be laid before congress at the beginning of each year, &c.

[\*Obsolete.]

States, but such as shall be appointed by the president of the United States, with the advice and consent of the senate: *Provided*, That the president may, and he is hereby authorized, in the recess of the senate, to appoint all or any of such agents which appointments shall be submitted to the senate, at their next session, for their advice and consent; and the president of the United States is hereby authorized, until otherwise provided by law, to fix the number and compensations of such agents. *Provided*, That the compensation allowed to either shall not exceed one per centum on the public moneys disbursed by him, nor in any instance the compensation allowed by law to the purveyor of public supplies.

SECT. 4. *And be it further enacted*, That every such agent as may be appointed by virtue of the next preceding section, and every purser of the navy, shall give bond, with one or more sufficient sureties, in such sums as the president of the United States may direct, for the faithful discharge of the trust reposed in him; and the paymaster of the army, the military agents, the purveyor of public supplies, the pursers of the navy, and the agents appointed by virtue of the preceding section, shall, whenever practicable, keep the public moneys in their hands, in some incorporated bank, to be designated for the purpose by the president of the United States, and shall make monthly returns, in such form as may be prescribed by the treasury department, of the moneys received and expended during the preceding month, and of the unexpended balance in their hands.

SECT. 5. *And be it further enacted*, That all purchases and contracts for supplies, or services which are or may, according to law, be made; by or under the direction of either the secretary of the treasury, the secretary of war, or the secretary of the navy, shall be made either by open purchase, or by previously advertising for proposals respecting the same: And an annual statement of all such contracts and purchases, and also of the expenditure of the moneys appropriated for the contingent expenses of the military establishment, for the contingent expenses of the navy of the United States, and for the discharge of miscellaneous claims not otherwise provided for, and paid at the treasury, shall be laid before congress at the beginning of each year, by the secretary of the proper department. [Approved, March 3, 1809.]

CHAP. 200. [XCVI.] An act making a further appropriation towards completing the two wings of the capitol at the city of Washington, and for other purposes.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the following sums of money be, and the same are hereby, appropriated, to be applied under the direction of the president of the United States; that is to say:

Sums of money appropriated, to be applied under the direction of the president. For improvements, &c. of the house of representatives.

For improvements and repairs of the house of representatives, six thousand dollars.

For completing the work in the interior of the north wing, comprising the senate chamber, court room, &c. twenty thousand dollars. 1809.

For completing the stair case, and providing temporary and adequate accommodations for the library, in the room now used for that purpose, and in the one in which the senate now sit, five thousand dollars.

For improvements and repairs of the president's house and square, including a carriage house, twelve thousand dollars.

SECT. 2. *And be it further enacted*, That the several sums of money hereby appropriated, shall be paid out of any money in the treasury, not otherwise appropriated.

[*Approved, March 3, 1809.*]

CHAP. 201. [XCVII.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 202. [XCVIII.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 203. [XCIX.] An act for the relief of Jacob Barnitz.\*

[\* Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That there be allowed to Jacob Barnitz, formerly an ensign in captain Christian Stoke's company, in colonel Swope's battalion of the Pennsylvania flying camp, the sum of one thousand dollars, on account of sufferings, and expenses in procuring medical and surgical aid, incurred by wounds received in the revolutionary war with Great Britain, and that the same be paid to him out of any money remaining in the treasury, not otherwise appropriated.

[*Approved, March 3, 1809.*]

CHAP. 204. [C.] An act authorizing an augmentation of the marine corps.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States shall be, and he is hereby, authorized to cause the marine corps in the service of the United States to be augmented, by the appointment and enlistment of not exceeding one major, two captains, two first lieutenants, one hundred and eighty-five corporals, and five hundred and ninety-four privates, who shall be, respectively, allowed the same pay, bounty, clothing, and rations, and shall be employed under the same rules and regulations to which the said marine corps are, or shall be, entitled and subject.†

1,000 dolls. to be allowed to Jacob Barnitz, formerly an ensign, &c. on account of sufferings and expenses, &c. incurred by wounds received in the revolutionary war, &c.

The president authorized to cause the marine corps to be augmented, by not exceeding 1 major, 2 capt. 2 first lieuts. 185 corporals, and 594 privates, to be allowed the same pay, &c.

[† See act of 11th July, 1798; chap. 99, vol. 3.]

1809.

After the 2d of March, 1811; s.c. 15, ch. 367, post. See orig. act of 21st April, 1806; ante, chap. 48.]

Not exceeding 40,000 dolls. additional appropriated for carrying on trade and intercourse with the Indians, &c. [Ante, ch. 48.]

see dolls. appropriated for an additional clerk in the office of the superintendent of Indian trade.

The proviso to the 12th sec. of the act mentioned, repealed. [Ante, ch. 48.]

The act to which this act is supplementary, and this act, continued until the 21st April, 1812.

All the privileges granted to Amos Whittemore, by patent for a machine for the manufacture of cotton and wool cards, &c. extended to Amos Whittemore, and William Whittemore, junior, for 14 years, from the 8th June, 1811, &c.

[4 Chap. 156, vol. 2.]

SECT. 2. *And be it further enacted*, That, from and after the passage of this act, all enlistments in the said corps shall be for the term of five years, unless sooner discharged, any law to the contrary notwithstanding.\* [Approved, March 3, 1809.]

CHAP. 205. [CI.] An act supplemental to the act, entitled "An act for establishing trading houses with the Indian tribes."†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That a sum, not exceeding forty thousand dollars, in addition to the sum heretofore appropriated for the purpose of carrying on trade and intercourse with the Indian nations, in the manner prescribed by the act, entitled "An act for establishing trading houses with the Indian tribes,"‡ be and the same is hereby appropriated, to be paid out of any moneys in the treasury of the United States, not otherwise appropriated.

SECT. 2. *And be it further enacted*, That the sum of eight hundred dollars be, and the same is hereby, appropriated, out of any moneys in the treasury of the United States, not otherwise appropriated, for an additional clerk in the office of the superintendent of Indian trade.

SECT. 3. *And be it further enacted*, That the proviso to the twelfth section of the act, entitled "An act for establishing trading houses with the Indian tribes,"§ be, and the same is hereby, repealed.

SECT. 4. *And be it further enacted*, That the act to which this is a supplement, and also this act, shall, from and after the twenty-first day of April next, commence and be continued in force for and during the term of three years, and no longer.

[Approved, March 3, 1809.]

CHAP. 206. [CII.] An act to extend to Amos Whittemore, and William Whittemore, junior, the patent right to a machine for manufacturing cotton and wool cards.||

[‡ Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all the privileges and benefits granted to Amos Whittemore, of the state of Massachusetts, in consideration of a machine invented by him for the manufacture of cotton and wool cards within the United States, by a patent issued from the department of state, and bearing date the fifth day of June, one thousand seven hundred and ninety-seven, be, and the same are hereby, extended to Amos Whittemore, and William Whittemore, junior, as joint proprietors of the said machine, for and during the term of fourteen years, to commence on the fifth day of June, in the year of our Lord one thousand eight hundred and eleven; any thing in the act, entitled "An act to promote the progress of useful arts," and to repeal the act heretofore made for that purpose,"¶ to the contrary notwithstanding.

[Approved, March 3, 1809.]

CHAP. 207. [CIII.] An act making appropriations for the support of the military establishment, and of the navy of the United States, for the year one thousand eight hundred and nine.\*

1609.

[\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for defraying the expense of the military establishment of the United States, for the year one thousand eight hundred and nine, for the Indian department, and for the expense of fortifications, arsenals, magazines, and armories, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

Some appropriated for defraying the expense of the military establishment, for the year 1809, &c.

For the pay of the army of the United States, eight hundred and sixty-eight thousand two hundred and forty dollars.

For the pay of the army.

For forage, sixty-four thousand six hundred and twenty-four dollars.

For forage.

For subsistence, six hundred and forty-one thousand two hundred and twenty-eight dollars and thirty-five cents.

For subsistence.

For clothing, two hundred and ninety-three thousand two hundred and sixty-four dollars.

For clothing.

For bounties and premiums, fifteen thousand dollars.

For bounties and premiums.

For the medical and hospital departments, forty-five thousand dollars.

For the medical and hospital departments.

For camp equipage, fuel, tools, and transportation, two hundred and seventy thousand dollars.

For camp equipage, &c.

For ordnance, seventy-five thousand dollars.

For ordnance.

For purchasing horses, saddles, and bridles, for the light dragoons, and for the light artillery, fifty-one thousand seven hundred and twenty dollars.

For horses, &c. for the light dragoons, &c.

For forage for the horses for the regiment of light artillery, ten thousand eight hundred dollars.

For forage for the horses of the light artillery.

For fortifications, arsenals, magazines, and armories, two hundred and nineteen thousand and thirty-four dollars and seventy-five cents.

For fortifications, &c.

For purchasing maps, plans, books, and instruments, two thousand five hundred dollars.

For maps, plans, &c.

For contingencies, fifty thousand dollars.

For contingencies.

For the salary of clerks employed in the military agents' offices, and in the office of inspector of the army, three thousand five hundred dollars.

For clerks in the military agents' offices, &c.

For the Indian department, one hundred and twenty-five thousand six hundred dollars.

For the Indian department.

For the purpose of paying James Powell, late collector of Savannah, the amount of moneys advanced by him to Solomon Ellis, contractor for supplying rations to the troops of the United States, in the state of Georgia, including a commission of two per centum to the collector, twenty-seven thousand six hundred and twenty-one dollars and eight cents.

For paying James Powell, late collector of Savannah, moneys advanced by him to Solomon Ellis, contractor, &c.

For the purpose of paying Ferdinand Phinzy, late contractor for supplying the troops in Georgia, a balance due to him, as admitted by the comptroller of the treasury, on the twenty-fourth of July, one thousand seven hundred and ninety-nine, one thousand three hundred and ninety-three dollars and thirty-nine cents.

For paying Ferdinand Phinzy, late contractor, &c. a balance due to him, &c.

1809.

Sums appropriated for defraying the expenses of the navy, during the year 1809, &c.

[\* Ante, ch. 182.]

For the pay and subsistence of officers, and pay of seamen, &c.

For provisions.

For medicines, &c.

For repairs of vessels.

For freight, store rent, &c.

For pay and subsistence of the marine corps, &c.

For clothing for the marine corps.

For military stores.

For medicines, medical services, &c.

For quartermaster's and barrackmaster's stores, &c.

For navy yards, &c.

For ordnance and small arms.

The sums appropriated to be paid out of the treasury, &c.

SECT. 2. *And be it further enacted*, That, for defraying the expenses of the navy of the United States, during the year one thousand eight hundred and nine, the following sums, including therein the sum of four hundred thousand dollars, already appropriated by an act, entitled "An act authorizing the employment of an additional naval force,"\* the following sums be, and the same are hereby, respectively, appropriated; that is to say:

For the pay and subsistence of the officers, and pay of the seamen, one million three hundred and twenty-three thousand and seventy-seven dollars.

For provisions, five hundred and sixty-seven thousand seven hundred and sixty-five dollars.

For medicines, instruments, and hospital stores, thirty-five thousand dollars.

For repairs of vessels, four hundred and forty-five thousand dollars.

For freight, store rent, commissions to agents, and other contingent expenses, one hundred and fifty thousand dollars.

For pay and subsistence of the marine corps, including provisions for those on shore, and forage for the staff, one hundred and thirty-five thousand six hundred and forty-seven dollars and seventy cents.

For clothing for the same, thirty-two thousand nine hundred and thirty-three dollars and eighty cents.

For military stores for the same, one thousand three hundred and fifty-four dollars.

For medicines, medical services, hospital stores, and all other expenses on account of the sick belonging to the marine corps, two thousand dollars.

For quartermaster's and barrackmaster's stores, officers' travelling expenses, armorers' and carpenters' bills, fuel, premiums for enlisting, musical instruments, bounty to music, and other contingent expenses of the marine corps, fourteen thousand one hundred and twenty-five dollars.

For the expense of navy yards, comprising dock and other improvements, pay of superintendents, storekeepers, clerks, and laborers, sixty thousand dollars.

For ordnance and small arms, one hundred and fifty thousand dollars.

SECT. 3. *And be it further enacted*, That the several sums specifically appropriated by this act, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, March 3, 1809.]

#### CHAP. 208. [CIV.] An act concerning invalid pensioners.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of war be, and he is hereby, directed to place the following named persons, whose claims have been transmitted to congress pursuant to a law passed the tenth of April, one thou-

The secretary of war to place the persons named, &c. on the list of invalid pensioners, &c.

sand eight hundred and six,\* on the pension list of invalid pensioners of the United States, according to the rates, and to commence at the times, herein mentioned; that is to say:

1809.

[\* See ante, chap. 26.]

**Oxford Tash**, at the rate of two dollars and fifty cents per month, to commence on the first day of June, one thousand eight hundred and seven. Names of persons directed to be placed on the pension list, &c.

**Hezekiah Sawtell**, at the rate of two dollars and fifty cents per month, to commence on the twenty-eighth day of September, one thousand eight hundred and eight.

**Amos Spafford**, at the rate of three dollars thirty-three and one-third cents per month, to commence on the twenty-third day of October, one thousand eight hundred and eight.

**Josiah Temple**, at the rate of two dollars per month, to commence on the fifteenth day of April, one thousand eight hundred and eight.

**Isaac Abbott**, at the rate of eight dollars per month, to commence on the nineteenth day of November, one thousand eight hundred and eight.

**Thaddeus Waugh**, at the rate of five dollars per month, to commence on the thirty-first day of May, one thousand eight hundred and eight.

**Joel Hinman**, at the rate of five dollars per month, to commence on the eighth day of June, one thousand eight hundred and eight.

**David Pendleton**, at the rate of five dollars per month, to commence on the twentieth day of May, one thousand eight hundred and eight.

**Eliphalet Sherwood**, at the rate of two dollars and fifty cents per month, to commence on the twentieth day of May, one thousand eight hundred and eight.

**Daniel Treadwell**, at the rate of four dollars per month, to commence on the twentieth day of May, one thousand eight hundred and eight.

**Obadiah Perkins**, at the rate of eight dollars per month, to commence the eighteenth day of November, one thousand eight hundred and eight.

**John Daboll**, at the rate of sixty-two and one-half cents per month, to commence on the eighteenth day of November, one thousand eight hundred and eight.

**Gideon Edwards**, at the rate of five dollars per month, to commence on the seventeenth day of December, one thousand eight hundred and eight.

**Elijah Sheldon**, at the rate of two dollars and fifty cents per month, to commence on the nineteenth day of December, one thousand eight hundred and eight.

**Nathaniel Church**, at the rate of two dollars and fifty cents per month, to commence on the thirtieth day of December, one thousand eight hundred and eight.

**Richard Mellen**, at the rate of five dollars per month, to commence on the ninth day of November, one thousand eight hundred and eight.

1809.

Names of invalid  
pensioners, &c.

Elisha Prior, at the rate of three dollars and ~~seventy-five~~ <sup>seventy</sup> cents per month, to commence on the thirteenth day of December, one thousand eight hundred and eight.

John Cramer, at the rate of two dollars and fifty cents per month, to commence on the twenty-fifth day of April, one thousand eight hundred and eight.

James Phillips, at the rate of two dollars and fifty cents per month, to commence on the nineteenth day of April, one thousand eight hundred and eight.

John Walsh, at the rate of two dollars and fifty cents per month, to commence on the eighth day of September, one thousand eight hundred and eight.

Samuel Lindsley, at the rate of three dollars and ~~seventy-five~~ <sup>seventy</sup> cents per month, to commence on the thirty-first day of October, one thousand eight hundred and eight.

John Fergus, at the rate of two dollars per month, to commence on the twentieth day of October, one thousand eight hundred and eight.

Joseph Elliot, at the rate of three dollars thirty-three and one-third cents per month, to commence on the twenty-first day of April, one thousand eight hundred and eight.

James Correar, at the rate of two dollars and fifty cents per month, to commence on the twenty-fifth day of November, one thousand eight hundred and eight.

John Smith, at the rate of two dollars and fifty cents per month, to commence on the twenty-seventh day of January, one thousand eight hundred and eight.

Joseph White, at the rate of three dollars and ~~seventy-five~~ <sup>seventy</sup> cents per month, to commence on the twenty-second day of February, one thousand eight hundred and eight.

Edward Tuck, at the rate of three dollars per month, to commence on the second day of January, one thousand eight hundred and eight.

Evan Ragland, at the rate of three dollars per month, to commence on the seventh day of January, one thousand eight hundred and eight.

John Crute, at the rate of thirteen dollars per month, to commence on the twenty-eighth day of September, one thousand eight hundred and eight.

William Evans, at the rate of eight dollars per month, to commence on the twenty-first day of November, one thousand eight hundred and eight.

John Carmichael, at the rate of five dollars per month, to commence on the first day of December, one thousand eight hundred and eight.

Benjamin Vickery, at the rate of three dollars per month, to commence on the fourteenth day of June, one thousand eight hundred and eight.

Joshua Hawkins, at the rate of three dollars per month, to commence on the twenty-fifth day of March, one thousand eight hundred and eight.

**Joseph M. Junkin**, at the rate of twelve dollars per month, 1809.  
to commence on the eighteenth day of October, one thousand eight hundred and eight. NAME OF PAID PERMITS, &c.

**Samuel Otterson**, at the rate of eight dollars per month, to commence on the sixth day of October, one thousand eight hundred and eight.

**William Carr**, at the rate of two dollars and fifty cents per month, to commence on the twenty-eighth day of March, one thousand eight hundred and eight.

**Jonathan Tinsley**, at the rate of five dollars per month, to commence on the twenty-third day of September, one thousand eight hundred and eight.

**James Galespie**, at the rate of four dollars per month, to commence on the eighteenth day of June, one thousand eight hundred and eight.

**Christian Smith**, at the rate of five dollars per month, to commence on the fifth day of November, one thousand eight hundred and eight.

**Bartholomew Berry**, at the rate of five dollars per month, to commence on the seventh day of November, one thousand eight hundred and eight.

**John Robert Shaw**, at the rate of five dollars per month, to commence on the twelfth day of October, one thousand eight hundred and eight.

**Samuel Burton**, at the rate of two dollars and fifty cents per month, to commence on the twenty-ninth day of December, one thousand eight hundred and eight.

**Nathaniel Hewitt**, at the rate of three dollars and seventy-five cents per month, to commence on the fifth day of January, one thousand eight hundred and nine.

**Jacob Redenour**, at the rate of five dollars per month, to commence on the tenth day of April, one thousand eight hundred and six.

**William Keough**, at the rate of five dollars per month, to commence on the twenty-third day of January, one thousand eight hundred and nine.

**Isaiah Corben**, at the rate of two dollars and fifty cents per month, to commence on the thirty-first day of October, one thousand eight hundred and eight.

**Joseph Richardson**, at the rate of two dollars and fifty cents per month, to commence on the twentieth day of January, one thousand eight hundred and nine.

**William Johnson**, at the rate of two dollars and fifty cents per month, to commence on the eighteenth day of January, one thousand eight hundred and nine.

**Henry Overley**, at the rate of five dollars per month, to commence on the first day of December, one thousand eight hundred and eight.

**Abraham Gamble**, at the rate of five dollars per month, to commence on the eighteenth day of January, one thousand eight hundred and nine.



1809.

*Names of invalid pensioners, &c.*

William M'Clannahan, at the rate of two dollars and fifty cents per month, to commence on the twenty-seventh day of October, one thousand eight hundred and eight.

William M'Laland, at the rate of five dollars per month, to commence on the fourth of February, one thousand eight hundred and nine.

*The pensions of the persons named, &c. to be increased, as specified, &c.*  
[*Ante*, ch. 26.]

SECT. 2. *And be it further enacted*, That the pensions of the following persons, already placed on the pension list of the United States, whose claims for an increase of pension have been transmitted to congress, pursuant to the act aforesaid,\* be increased to the sums herein, respectively, annexed to their names; the said increase to commence at the times herein mentioned; that is to say:

*Names of persons whose pensions have been increased.*

William Curtis, five dollars per month, to commence on the twenty-first day of September, one thousand eight hundred and eight.

Samuel Potter, three dollars thirty-three and one-third cents per month, to commence on the sixth day of September, one thousand eight hundred and eight.

Thomas Haines, five dollars per month, to commence on the seventeenth day of January, one thousand eight hundred and seven.

Daniel Bussell, five dollars per month, to commence on the third day of October, one thousand eight hundred and eight.

William Wood, three dollars thirty-three and one-third cents per month, to commence on the fourteenth day of September, one thousand eight hundred and eight.

Thomas Pratt, three dollars thirty-three and one-third cents per month, to commence on the twenty-fourth day of October, one thousand eight hundred and eight.

Ebenezer Tinkham, two dollars and fifty cents per month, to commence on the eighth day of November, one thousand eight hundred and eight.

Joseph Brown, five dollars per month, to commence on the third day of June, one thousand eight hundred and eight.

Benjamin Merrill, three dollars thirty-three and one-third cents per month, to commence on the twenty-eighth day of September, one thousand eight hundred and eight.

William Leach, five dollars per month, to commence on the second day of May, one thousand eight hundred and eight.

Constant Webb, three dollars per month, to commence on the thirtieth day of May, one thousand eight hundred and eight.

Jonathan Bowers, five dollars per month, to commence on the twenty-third day of July, one thousand eight hundred and eight.

Abner Andrews, five dollars per month, to commence on the first day of September, one thousand eight hundred and eight.

Josiah Merryman, five dollars per month, to commence on the seventeenth day of September, one thousand eight hundred and eight.

Samuel Burdwin, five dollars per month, to commence on the twenty-third day of September, one thousand eight hundred and eight.

**Oliver Hostwick**, ten dollars per month, to commence on the third day of October, one thousand eight hundred and eight. 1809.

**Edward Bassett**, two dollars and fifty cents per month, to commence on the twenty-eighth day of April, one thousand eight hundred and eight. Names of persons whose pensions have been increased.

**Jeremiah Markham**, three dollars and seventy-five cents per month, to commence on the third day of June, one thousand eight hundred and eight.

**Samuel Andrus**, three dollars and seventy-five cents per month, to commence on the twenty-third day of September, one thousand eight hundred and eight.

**Elisha Clark**, two dollars and fifty cents per month, to commence on the twenty-eighth day of September, one thousand eight hundred and eight.

**Aaron Tuttle**, three dollars thirty-three and one-third cents per month, to commence on the twenty-fifth day of October, one thousand eight hundred and eight.

**Benjamin Sturges**, four dollars per month, to commence on the twenty-fifth day of October, one thousand eight hundred and eight.

**Burr Gilbert**, five dollars per month, to commence on the twenty-eighth day of July, one thousand eight hundred and eight.

**Jehiel Judd**, four dollars per month, to commence on the sixteenth day of April, one thousand eight hundred and eight.

**Ashbel Hosmer**, five dollars per month, to commence on the sixth day of October, one thousand eight hundred and eight.

**Andrew McGuire**, five dollars per month, to commence on the first day of August, one thousand eight hundred and eight.

**John Lowry**, three dollars thirty-three and one-third cents per month, to commence on the nineteenth day of April, one thousand eight hundred and eight.

**James Blever**, five dollars per month, to commence on the eighth day of April, one thousand eight hundred and eight.

**Samuel B. White**, five dollars per month, to commence on the eighth day of April, one thousand eight hundred and eight.

**Judah Levy**, five dollars per month, to commence on the twelfth day of April, one thousand eight hundred and eight.

**Enoch Turner**, five dollars per month, to commence on the fourteenth day of November, one thousand eight hundred and eight.

**Edward Stanton**, five dollars per month, to commence on the nineteenth day of November, one thousand eight hundred and eight.

**Elisha Lee**, twenty dollars per month, to commence on the thirtieth day of November, one thousand eight hundred and eight.

**William Starr**, three dollars and seventy-five cents per month, to commence on the eighteenth day of November, one thousand eight hundred and eight.

**John Morgan**, three dollars thirty-three and one-third cents per month, to commence on the eighteenth day of November, one thousand eight hundred and eight.

**Andrew Gallup**, three dollars thirty-three and one-third cents per month, to commence on the eighteenth day of November, one thousand eight hundred and eight.

1809.

Names of persons whose pensions have been increased.

Joseph Woodmancy, five dollars per month, to commence on the eighteenth day of November, one thousand eight hundred and eight.

Solomon Perkins, five dollars per month, to commence on the eighteenth day of November, one thousand eight hundred and eight.

Walter Burdick, two dollars and fifty cents per month, to commence on the eighteenth day of November, one thousand eight hundred and eight.

Park Avery, five dollars per month, to commence on the eighteenth day of November, one thousand eight hundred and eight.

Amos Avery, two dollars and fifty cents per month, to commence on the eighteenth day of November, one thousand eight hundred and eight.

Ebenezer Avery, two dollars and fifty cents per month, to commence on the eighteenth day of November, one thousand eight hundred and eight.

Benjamin Denslow, five dollars per month, to commence on the seventh day of December, one thousand eight hundred and eight.

Amos Skeele, three dollars thirty-three and one-third cents per month, to commence on the twenty-eighth day of November, one thousand eight hundred and eight.

William Burrows, five dollars per month, to commence on the twelfth day of December, one thousand eight hundred and eight.

Elisha Frizzle, five dollars per month, to commence on the first day of January, one thousand eight hundred and nine.

John M'Kinstrey, twenty dollars per month, to commence on the first day of January, one thousand eight hundred and nine.

Samuel Gibbs, thirteen dollars thirty-three and one-third cents per month, to commence the eighth day of October, one thousand eight hundred and eight.

John Barbarick, five dollars per month, to commence on the fifteenth day of December, one thousand eight hundred and eight.

James Morgan, two dollars and fifty cents per month, to commence on the fifth day of January, one thousand eight hundred and nine.

Joseph Moxley, two dollars and fifty cents per month, to commence on the fifth day of January, one thousand eight hundred and nine.

Daniel Bill, five dollars per month, to commence on the fifth day of January, one thousand eight hundred and nine.

Christopher Latham, three dollars and seventy-five cents per month, to commence on the fifth day of January, one thousand eight hundred and nine.

SECT. 3. *And be it further enacted*, That the pensioners, becoming such in virtue of this act, shall be paid in the same manner as invalid pensioners are paid who have heretofore been placed on the pension list of the United States, under such restrictions and regulations, in all respects, as are prescribed by the laws of the United States in such cases provided.

[Approved, March 3, 1809.]

Pensioners in virtue of this act, to be paid in the same manner as invalid pensioners heretofore placed on the list, &c.

# ACTS OF THE ELEVENTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE FIRST SESSION, WHICH WAS BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE 22D OF MAY, 1809, AND ENDED ON THE 28TH OF JUNE, IN THE SAME YEAR.

James Madison, President. George Clinton, Vice President, and President of the Senate. Andrew Gregg, President of the Senate, pro tempore, on the 28th of June. J. B. Varnum, Speaker of the House of Representatives.

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CHAP. 209. [I.] An act respecting the ships or vessels owned by citizens or subjects of foreign nations with which commercial intercourse is permitted.\*

1809.

[\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* from and after the passing of this act, all ships or vessels owned by citizens or subjects of any foreign nation with which commercial intercourse is permitted by the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,"† be permitted to take on board cargoes of domestic or foreign produce, and to depart with the same for any foreign port or place with which such intercourse is, or shall, at the time of their departure, respectively, be thus permitted, in the same manner, and on the same conditions, as is provided by the act aforesaid, for vessels owned by citizens of the United States; any thing in the said act, or in the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or in any of the several acts supplementary thereto, to the contrary notwithstanding. [*Approved, May 30, 1809.*]

Vessels owned by subjects of a foreign nation with which commercial intercourse is permitted, &c. allowed to take on board cargoes of domestic or foreign produce, &c. in the same manner, &c. as provided in the case of vessels owned by citizens, &c.

[† Act, ch. 194.]

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CHAP. 210. [II.] An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States, and to erect such fortifications as may be necessary for the protection of the northern and western frontiers of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for the purpose of completing the fortifications commenced for the security of the seaport towns and harbors of the United States, and territories thereof, and for erecting such fortifications

750,000 dolls. appropriated for completing the fortifications commenced for the security of the seaport towns and harbors of the United States.

1809. as may, in the opinion of the president of the United States, be deemed necessary for the protection of the northern and western frontiers, there be, and hereby is, appropriated the sum of seven hundred and fifty thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, June 14, 1809.]

[\* Obsolete.]

CHAP. 211. [III.] An act authorizing the appointment of an agent for the land office at Kaskaskia, and allowing compensation to the commissioners and clerk.\*

The secretary of the treasury authorized to employ an agent, for a compensation not exceeding 500 dolls, for the purpose of appearing before the board of commissioners for adjusting claims to land in the Kaskaskia district, to oppose such claims as he may deem fraudulent, &c. 500 dolls, to each of the commissioners, and to the clerk of the board, for services in 1808.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he is hereby, authorized to employ an agent, whose compensation shall not exceed five hundred dollars, in full for all his services, for the purpose of appearing before the board of commissioners for adjusting the claims to land in the Kaskaskia district, in behalf of the United States, to investigate the claims for land, and to oppose all such as he may deem fraudulent and unfounded.

SECT. 2. *And be it further enacted,* That five hundred dollars shall be allowed to each of the said commissioners, and to the clerk of the board, as compensation for their services rendered in the year one thousand eight hundred and eight.

[Approved, June 15, 1809.]

[\* See orig. act, of 3d March, 1807; ante, chap. 60.]

So much of the lands ceded by the Cherokee and Chickasaw Indians, as lies within the Mississippi territory, for which a land office was directed to be established by the 3d section of the act referred to, with the exception of No. 76, &c. to be offered for sale to the highest bidder, &c.  
[† Ante, ch. 90.]

CHAP. 212. [IV.] An act supplementary to an act, entitled "An act making appropriations for carrying into effect a treaty between the United States and the Chickasaw tribe of Indians; and to establish a land office in the Mississippi territory."†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That so much of the lands ceded to the United States by the Cherokee and Chickasaw Indians, as lies within the Mississippi territory, and for which a land office was directed to be established by the second section of the act to which this act is a supplement,† shall, with the exception of section number sixteen in each township, which shall be reserved for the use of schools within the same, and with the exception of the salt springs and lands contiguous thereto, which, by direction of the president of the United States, may be reserved for the future disposal of the said United States, be offered for sale to the highest bidder, under the direction of the register of the land office, and of the receiver of public moneys at the place where the land office is established, and on the day or days which shall have been designated by proclamation of the president of the United States for that purpose; the sales shall remain open for six weeks, and no longer; the lands shall not be sold for less than two dollars an acre, and shall be sold in tracts of the same size, and, in all respects, on the same terms and conditions, as have been, or may

The sales to remain open six weeks; and the lands not to be sold for less than two dolls. an acre, &c.

be, by law, provided for the sale of the other public lands in the Mississippi territory.\* All the lands of the United States in the said district, with the exceptions abovementioned, remaining unsold at the close of the public sales, may be disposed of at private sale, by the register of the land office, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided, by law, for the sale of the lands of the United States in the Mississippi territory; and patents shall be obtained for lands sold in said district, in the same manner, and on the same terms, as are provided by law for other public lands sold in the Mississippi territory.†

SECT. 2. *And be it further enacted*, That the superintendents of the public sales directed by this act, shall, each, receive six dollars a day, for every day's attendance on the said sales.

[Approved, June 15, 1809.]

\* See chap. 340, vol. 3. Lands remaining unsold, &c. with the exceptions mentioned, may be disposed of at private sale, &c.

† See chap. 340, vol. 3. Superintendents of public sales to receive, each, six dollars for every day's attendance.

CHAP. 213. [V.] An act to continue in force "An act declaring the assent of congress to a certain act of the state of South Carolina, passed the twenty-first of December, one thousand eight hundred and four."‡

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the act of the twenty-eighth of March, one thousand eight hundred and six, entitled "An act declaring the consent of congress to an act of the state of South Carolina, passed on the twenty-first day of December, one thousand eight hundred and four, so far as the same relates to authorizing the city council of Charleston to impose and collect a duty on the tonnage of vessels from foreign ports,"§ be, and the same is hereby, continued in force from the passage of this act, for five years, and thence to the end of the next session of congress thereafter, and no longer.

[Approved, June 15, 1809.]

{ Obsolete. See the act continuing, ed. of 28th March, 1806, ante, chap. 17.]

The act declaring the consent of congress to an act of the state of South Carolina, authorizing the city council of Charleston to collect a duty on tonnage, &c. continued until the 3d March, 1815. [§ Ante, ch. 17.]

CHAP. 214. [VI.] An act authorizing the discharge of John Heard from his imprisonment.||

[Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That John Heard, late collector of the port of Amboy, in the state of New Jersey, be discharged from his imprisonment, upon a judgment obtained against him in favor of the United States: *Provided, however*, That he shall first assign and convey all the estate, real and personal, which he may now own, or be entitled to, to some person or persons, for the use and benefit of the United States, under the direction of the secretary of the treasury: *And provided also*, That the said judgment shall remain in full force against any estate which the said John Heard may hereafter acquire, and that process may at any time be thereupon issued against the same. [Approved, June 20, 1809.]

John Heard, late collector of Amboy, to be discharged from imprisonment, &c.

Provido; John Heard first to convey his estate for the benefit of the United States, &c.

Provido; the judgment to remain in force against any future estate, &c.

1809. CHAP. 215. [VII.] An act to fix the time for the next meeting of congress.\*

[\* Obsolete.]

[This act provides that the next meeting of congress shall take place on the fourth Monday of November, 1809.

Approved, June 24, 1809.]

[† Private and obsolete.]

CHAP. 216. [VIII.] An act for the remission of certain penalties and forfeitures; and for other purposes.†

The president authorized to remit any penalty, &c. incurred, in consequence of the violation of the act to prohibit the importation of slaves, &c. by persons concerned in bringing into port slaves owned by persons forcibly expelled from Cuba, &c.  
[† Ante, ch. 77.]

Provido; the president to be first satisfied that the persons concerned were impelled by circumstances that would justify the act, &c.

Provido; the slaves to have been brought at the same time, and in the same vessel, with their owners.

The president authorized to make arrangements with the minister of France for transporting the exiles from Cuba to any place within the French territories, &c.

Provido; the vessels transporting the exiles to depart in ballast, &c.

15,000 dolls. appropriated to supply the exiles with the necessaries of subsistence, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the president of the United States be, and he is hereby, authorized to remit any penalty or forfeiture which may have been incurred in consequence of the violation of any of the provisions of the act, entitled "An act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight,"† by any person who may have been concerned in bringing into any port or place within the jurisdiction of the United States, any slave or slaves, owned by any person or persons who shall have been forcibly expelled from the island of Cuba, by order of the government thereof: and the president of the United States is hereby further authorized to release all vessels and other effects which may have been, or may hereafter be, seized therefor: *Provided, That* he shall be first satisfied, in every case, that the person thus concerned in bringing in such slave or slaves as aforesaid, was impelled thereto by circumstances which, in the judgment of the president of the United States, would justify the act; and without any intention on the part of such person voluntarily to evade any of the provisions of the act aforesaid: *And provided also, That* such slave or slaves shall have been brought into the United States in the same vessel, and at the same time, as their owner or owners, respectively.

SECT. 2. *And be it further enacted, That* the president of the United States be, and he is hereby, authorized to make any arrangement with the minister plenipotentiary of France, which he may deem necessary and proper, for transporting such of the unfortunate exiles from the said island of Cuba, with their effects, as shall desire to depart from the United States, to any port or place within the territories of France, her colonies, or dependencies, any law to the contrary notwithstanding: *Provided, That* the vessels transporting the same shall depart only in ballast, and without taking on board any other cargo than such sea stores as may be deemed necessary for the voyage, in every case. *And* to enable the president to carry into effect any such arrangement, as well as for supplying, temporarily, such of the unfortunate exiles, with the necessaries of subsistence, as may be in actual want thereof, there be appropriated the sum of fifteen thousand dollars, or so much thereof as may be necessary for these objects, to be paid out of any money in the treasury, not otherwise ap-

propriated. *Provided, however,* That all moneys which may be drawn out of the treasury, in virtue of this act, shall be charged to the French government, under such stipulations for reimbursing the same, on the part of the minister plenipotentiary of France, as, in the judgment of the president, may be deemed proper for that object. 1809.

*Proviso; the moneys to be charged to the French government, &c.*

SECT. 3. *And be it further enacted,* That all claim and demand of the United States to any moneys arising from the sale of the ship Clara, sold in pursuance of a decree of the district court for Orleans district, holden in March, one thousand eight hundred and nine, be, and the same is hereby, relinquished and remitted to Andrew Foster and Jacob P. Giraud, late owners of the said ship Clara, any thing in any former law to the contrary notwithstanding. [Approved, June 28, 1809.]

*The claim of the United States to moneys arising from the sale of the ship Clara, &c. relinquished to the owners, &c.*

CHAP. 217. [IX.] An act to amend and continue in force certain parts of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."

*\* Obsolete. See the act, parts of which are amended and continued, of 1st March, 1809; ante, ch. 195.]*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, seventeenth, and eighteenth, sections of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,"† shall continue in force until the end of the next session of congress: *Provided,* That nothing therein contained shall be construed to prohibit any trade or commercial intercourse which has been, or may be, permitted in conformity with the provisions of the eleventh section of the said act.

*The 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 17th and 18th sections, of the act to interdict commercial intercourse between the United States and France and Great Britain, continued until the 1st May, 1810.*

*[† Ante, ch. 195.] Proviso; nothing, &c. to prohibit trade, &c. permitted by the 11th section of the act referred to.*

SECT. 2. *And be it further enacted,* That all acts repealed, or mentioned, or intended to be, repealed by the said act to interdict commercial intercourse between the United States and Great Britain and France, and their dependencies, shall be and remain repealed, notwithstanding any part of the same act which has been, or may hereafter be, revoked or annulled, or which may expire by its own limitation: *Provided,* That all the penalties and forfeitures which may have been incurred, or shall hereafter be incurred, on account of any infraction of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or of any of the acts supplementary thereto, or of the "Act to enforce and make more effectual an act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States,"‡ or of any of the provisions of the act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes, shall, after the expiration of any of the said acts, or of any provision thereof, be recovered and distributed in like manner as if the said acts and every provision thereof had continued in full force and virtue.

*All acts repealed, &c. by the act to interdict commercial intercourse, &c. to remain repealed, &c.*

*Proviso; all penalties and forfeitures incurred on account of any infraction of the act laying an embargo, &c. to be recovered and distributed as if the acts had continued in force, &c.*

*[‡ Ante, ch. 275.]*



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During the continuance of this act no vessel, except employed for the public service, &c. permitted to depart for any interdicted foreign port, &c.

No vessel bound to a place with which commercial intercourse is allowed, except, &c. to depart, unless the owner, &c. gives bond, &c. not to proceed to any interdicted port, &c.

Vessels departing contrary to the provisions of this section, &c. together with their cargoes, forfeited, and the owners, &c. to pay a sum equal to the value of vessels and cargoes. *Provided*, the provisions of the 11th sec. of the act to interdict commercial intercourse, &c. to extend to the prohibitions imposed by this section, &c.

The penalties, &c. incurred by virtue of this act, to be recovered and distributed, &c. as prescribed by the act referred to.

[\* Ante, ch. 193.]

All vessels which arrived from Great Britain, &c. between the 20th May and 11th June, 1809, exempted from forfeitures, &c. incurred in consequence of any violation of the act to interdict commercial intercourse, &c.

**SECT. 3.** *And be it further enacted*, That, during the continuance of this act, no ship or vessel, except such as may be chartered or employed for the public service by the president of the United States, shall be permitted to depart for any foreign port or place with which commercial intercourse has not been, or may not be, permitted by virtue of this act, or of the act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes. And no ship or vessel, bound to a foreign port or place with which commercial intercourse has been, or may be, thus permitted, except such as may be chartered or employed as aforesaid, shall be allowed to depart, unless the owner or owners, consignee, or factor, of such ship or vessel shall, with the master, have given bond, with one or more sureties, to the United States, in a sum double the value of the vessel and cargo, that the vessel shall not proceed to any port or place with which commercial intercourse is not thus permitted, nor be directly or indirectly engaged, during the voyage, in any trade with such port or place. And if any ship or vessel shall, contrary to the provisions of this section, depart from any port of the United States, without clearance, or without having given bond, in the manner above mentioned, such ship or vessel, together with her cargo, shall be wholly forfeited, and the owner or owners, agent, freighter, or factors, master, or commander, of such ship or vessel, shall, moreover, severally, forfeit and pay a sum equal to the value of the ship or vessel, and of the cargo put on board the same: *Provided always*, That the provisions of the eleventh section of the act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes, shall extend to the prohibitions imposed by this section; which prohibitions shall cease to operate in the manner, and under the limitations, prescribed by the eleventh section aforesaid, in relation to any nation with which commercial intercourse may hereafter be permitted, in conformity with the provisions of the eleventh section aforesaid.

**SECT. 4.** *And be it further enacted*, That all penalties and forfeitures arising under, or incurred by, virtue of this act, shall, during the continuance, and after the expiration thereof, be recovered and distributed, and may be remitted or mitigated, in the manner prescribed by the act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies,\* and for other purposes, and the acts therein referred to.

**SECT. 5.** *And be it further enacted*, That all the vessels which may have arrived at any port or place within the United States from Great Britain, her colonies or dependencies, between the twentieth day of May and the eleventh of June, one thousand eight hundred and nine, shall be exempted from all the forfeitures and penalties incurred in consequence of any violation of any of the provisions of the said act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies. [Approved, June 28, 1809.]

CHAP. 218. [X.] An act supplementary to the act, entitled "An act making further provision for the support of public credit, and for the redemption of the public debt."

1809.

[See orig. act, of 2d March, 1798; chap. 286, vol. 2.]

The powers vested in the commissioners of the sinking fund, by the 10th sec. of the act referred to, to extend to all the cases of reimbursement, &c. of the public debt now existing, &c.

[See chap. 286, vol. 2.]

In every case in which a loan may be made, &c. the loan may be made of the bank of the United States, &c. See p. 198, vol. 2.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the powers vested in the commissioners of the sinking fund, by the tenth section of the act to which this act is a supplement, shall extend to all the cases of reimbursement of any instalments, or parts of the capital, or principal, of the public debt now existing, which may become payable according to law. And in every case in which a loan may be made accordingly, it shall be lawful for such loan to be made of the bank of the United States, any thing in any act of congress to the contrary notwithstanding.*

[Approved, June 28, 1809.]

CHAP. 219. [XI.] An act making an appropriation to finish and furnish the senate chamber, and for other purposes.

[Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That, to defray the expenses of finishing and furnishing the permanent senate chamber, its committee rooms, lobbies, and other apartments, the sum of fifteen thousand dollars is appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated.*

15,000 dolls. appropriated for finishing and furnishing the permanent senate chamber, committee rooms, &c.

SECT. 2. *And be it further enacted, That, to defray the expense incurred in fitting up the temporary senate chamber, and repairing and providing articles of furniture, the further sum of sixteen hundred dollars be appropriated, the same to be paid out of any moneys in the treasury, not otherwise appropriated.*

1,600 dolls. appropriated to defray the expense incurred in fitting up the temporary senate chamber, &c.

[Approved, June 28, 1809.]

CHAP. 220. [XII.] An act to suspend, for a limited time, the recruiting service.

[Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That so much of the act, entitled "An act to raise, for a limited time, an additional military force," as authorizes the enlisting of men for the term of five years, unless sooner discharged, be, and the same is hereby, suspended until twenty days after the next meeting of congress.* [Approved, June 28, 1809.]

So much of the act to raise an additional military force, as authorizes the enlistment of men for the term of 5 years, &c. suspended, until the 17th Dec. 1809. [Ante, ch. 147.]

CHAP. 221. [XIII.] An act authorizing the discharge of Joseph Wilkinson, junior, from his imprisonment.

[Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That*

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Joseph Wilkinson, junior, late collector of Detroit, to be discharged from imprisonment, &c.

Provide; Joseph Wilkinson first to convey all his estate, &c. for the benefit of the United States.

Provide; the judgment to remain in force against any future estate, &c.

Joseph Wilkinson, junior, late collector of the port of Detroit, in the Michigan territory, be discharged from his imprisonment upon a judgment obtained against him in favor of the United States: *Provided, however,* That he shall first assign and convey all the estate, real and personal, which he may now own, or be entitled to, to some person or persons, for the use and benefit of the United States, under the direction of the secretary of the treasury: *And provided, also,* That the said judgment shall remain in full force against any estate which the said Joseph Wilkinson, junior, may hereafter acquire, and that process may, at any time, be thereupon issued against the same.

[Approved, June 28, 1809.]

[\* Private and obsolete. Supplied by the 34th sec. of the act of 30th April, 1810; chap. 202, post.] All letters and packets from Thomas Jefferson to be conveyed, by post, free of postage, during his life.

CHAP. 222. [XIV.] An act freeing from postage all letters and packets from Thomas Jefferson.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That all letters and packets from Thomas Jefferson, late president of the United States, during his life, shall be received and conveyed by post, free of postage. [Approved, June 28, 1809.]

[† Obsolete.]

CHAP. 223. [XV.] An act making appropriations for defraying the expense of stationery, printing, and all other contingent expenses, of the senate and house of representatives during the present session of congress.†

9,000 dols. appropriated for defraying the expenses of stationery, printing, &c. during the present session of congress, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for defraying the expense of stationery, printing, and all other contingent expenses of the senate and house of representatives, during the present session of congress, the sum of nine thousand dollars be, and the same hereby is, appropriated, payable out of any money in the treasury, not otherwise appropriated.

[Approved, June 28, 1809.]

[‡ Obsolete.]

CHAP. 224. [XVI.] An act authorizing the accounting officers of the treasury department to give credit to certain collectors of the customs, for allowances paid by them to the owners and crews of fishing vessels.‡

The accounting officers of the treasury authorized to give the collectors of the customs credit for the sums paid for allowances to the owners and crews of fishing vessels, in lieu of drawback of the duties paid on the salt used by the same, to the thirty-first of December, one thousand eight hundred and seven.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the treasury department be, and they are hereby, authorized, in settling the accounts of the collectors of the customs, to give them credit for the respective sums which have been, or may be, paid for allowances to the owners and crews of fishing vessels, in lieu of drawback of the duties paid on the salt used by the same, to the thirty-first of December, one thousand eight hundred and seven.

[Approved, June 28, 1809.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the president of the United States, in the event of a favorable change in our foreign relations, be, and he is hereby, authorized to cause to be discharged from actual service, and laid up in ordinary, such of the frigates and public armed vessels as, in his judgment, a due regard to the public security and interest will permit.

The president, in the event of a favorable change in our foreign relations, authorized to cause to be discharged from service, and laid up, &c. such of the frigates, &c. as a due regard to the public security, &c. will permit.

**SECT. 2.** *And be it further enacted, That* so much of the first section of an act, entitled "An act to authorize the employment of an additional naval force,"\* passed at the last session of congress, as requires the public armed vessels to be stationed at such ports and places on the sea coast, or to cruise on the sea coast, of the United States, and territories thereof, be, and the same is hereby, repealed. [*Approved, June 28, 1809.*]

So much of the first sec. of the act referred to, as requires the public armed vessels to be stationed at ports, or to cruise, on the sea coast of the United States, &c. repealed.

[\* See act of 31st Jan. 1809; ante, sec. 1, ch. 182.]

# ACTS OF THE ELEVENTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE SECOND SESSION, WHICH WAS BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE 27TH OF NOVEMBER, 1809, AND ENDED ON THE 1ST OF MAY, 1810.

James Madison, President. George Clinton, Vice President, and President of the Senate. Andrew Gregg, President of the Senate, pro tempore, from the 9th to the 19th of December. John Gaillard, President of the Senate, pro tempore, on the 2d of March, and from the 20th of April to the 1st of May. J. B. Varnum, Speaker of the House of Representatives.

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[\* Obsolete.]

CHAP. 226. [XVIII.] An act to authorize the transportation of certain documents free of postage.\*

Members of congress, the secretary of the senate, and clerk of the house, authorized to transmit, free of postage, the message of the president of the 20th Nov. 1809, and documents, to any post office, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the members of congress, the secretary of the senate, and the clerk of the house of representatives, be, and they are hereby, respectively, authorized to transmit, free of postage, the message of the president of the United States, of the twenty-ninth of November, one thousand eight hundred and nine, and the documents accompanying the same, printed by order of the senate, and by order of the house of representatives, to any post office within the United States, and territories thereof, to which they may direct; any law to the contrary notwithstanding.

[Approved, December 9, 1809.]

[† See orig. act, of 27th Feb. 1809; ante, chap. 190.]

CHAP. 227. [XIX.] An act supplemental to an act, entitled "An act extending the right of suffrage in the Indiana territory, and for other purposes."†

The governor of the Indiana territory empowered to apportion the representatives among the several counties, having regard to the numbers limited in the 4th sec. of the act referred to. [† See ante, ch. 190.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the governor of the Indiana territory for the time being, be, and he is hereby, authorized and empowered to apportion the representatives among the several counties in said territory as he shall think proper, having regard to the numbers limited in the fourth section of the act to which this is a supplement,‡ and to issue his writ for the election of such representatives, agreeably to the apportionment which he may make, at such time as he shall deem most convenient for the citizens of the several counties in said territory.

As soon as the legislature of the territory convenes, the number of representatives to be regulated by the general assembly.

SECT. 2. *And be it further enacted, That* so soon as the legislature of said territory shall be convened, the number of representatives in each county thereof shall be regulated by the general assembly.

**SECT. 3.** *And be it further enacted, That when any vacancy shall occur in the legislative council, by death, resignation, or removal from office, or when, from either of said causes, there shall be no delegate from said territory to the congress of the United States, the governor shall, in either case, be authorized to issue his proclamation, directing an election to be held to supply such vacancy, according to law.*

[Approved, December 15, 1809.]

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When a vacancy occurs in the legislative council, or there shall be no delegate to congress, &c. the governor to issue his proclamation, directing an election, &c.

**CHAP. 228. [XX.]** An act extending the time for issuing and locating military land warrants.\*

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the secretary of war be authorized to issue military land warrants, to such persons as have or shall, before the first day of March, one thousand eight hundred and thirteen, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued and not yet satisfied, shall and may be located in the names of the holders or proprietors hereof, prior to the first day of October, one thousand eight hundred and thirteen, on any unlocated parts of the fifty quarter townships and the fractional quarter townships reserved by law for original holders of military land warrants.*

[Approved, December 19, 1809.]

[\* See former act, of 21st March, 1808; ante, chap. 141; and act of 5th July, 1813; chap. 535, post.] The secretary of war authorized to issue military land warrants to such persons as, before the 1st March, 1813, produce satisfactory evidence of the validity of their claims, &c. The warrants, &c. may be located in the names of the holders or proprietors, prior to the 1st Oct. 1813, on any unlocated parts of the 50 quarter townships, &c.

**CHAP. 229 [XXI.]** An act for the relief of William and Elias Rector.†

[† Private.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the accounting officers of the treasury be authorized to settle the claim of William and Elias Rector, at a sum not exceeding three dollars per mile, for the lines which bound each survey, whether separate or adjoining other claims, for each survey which they have made, or may hereafter make, under the authority of the United States, of the private claims in the Kaskaskia district, or Illinois territory, claimed by virtue of French or British grants, legally and fully made and executed, or by virtue of grants issued under the authority of former acts of congress, by either of the governors of Northwest, (now Ohio) or Indiana territories, and which had already been surveyed by a person authorized to execute such survey.* [Approved, December 28, 1809.]

The accounting officers of the treasury authorized to settle the claim of William and Elias Rector, at not exceeding three dollars per mile for the lines which bound each survey, &c. which they have made, &c. of the private claims in the Kaskaskia district, &c.

**CHAP. 230. [XXII.]** An act to revive and continue in force, for a further time, the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."

[‡ Obsolete. See the act in part revived, of 25th March, 1804; ch. 399, vol. 3.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That so much of the act, passed on the twenty-fifth day of March, one*

The first section of the act further to protect the commerce and seamen of

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the United States against the Barbary powers, revived, and continued in force until the 4th of March, 1811.  
[\* Ch. 399, vol. 3.]

[† Ante, ch. 178.]

[‡ Further continued. See ch. 341, post.]  
[§] Provide; the additional duty laid by the section to be collected on all goods, &c. imported previously to the day mentioned.

thousand eight hundred and four, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers,"\* as is contained in the first section of the said act, (and which was revived and continued in force, for the time therein mentioned, by an act, entitled "An act to revive and continue in force, for a further time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers,'† passed the tenth day of January, one thousand eight hundred and nine,) be, and the same hereby is, revived, and continued in force until the fourth day of March, one thousand eight hundred and eleven:‡ *Provided, however,* That the additional duty laid by the said section shall be collected on all such goods, wares, and merchandise, liable to pay the same, as shall have been imported previous to that day. [Approved, January 12, 1810.]

CHAP. 231. [XXIII.] An act to extend certain privileges therein mentioned to Joseph Joshua Dyster.§

[‡ Private.]

Two years' residence, as required by the act to extend the privilege of obtaining patents for useful discoveries, &c. not to be required of Joseph Joshua Dyster, &c.  
[¶ Ch. 179, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That two years' residence, as required by an act, entitled "An act to extend the privilege of obtaining patents for useful discoveries and inventions to certain persons therein mentioned, and to enlarge and define the penalties for violating the right of patents,"¶ shall not be required of Joseph Joshua Dyster, to enable him to obtain a patent for any discovery he has made in constructing iron bridges, and applicable to other architectural purposes; but he shall obtain a patent therefor on his conforming to the other requisitions of said act. [Approved, February 5, 1810.]

[‡ Private and obsolete.]

CHAP. 232. [XXIV.] An act for the relief of Harry Caldwell and Amasa Jackson, Jeremiah Reynolds, and Levin Jones.¶

The brig Joseph Ricketson, and the schooner Victory, seized and libelled for a violation of the provisions of the act to prohibit the importation of slaves, released.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the brig Joseph Ricketson, owned by Harry Caldwell and Amasa Jackson, which, on or about the twenty-fifth day of July last, at Kingston, in the island of Jamaica, took on board three refugees from the island of Cuba, with their domestic slaves, six in number, and landed them at New Orleans; and that the schooner Victory, owned by Jeremiah Reynolds, who, about the latter end of September last, at Curracoa, took on board a number of French emigrants from the said island of Cuba, with their domestic slaves, six in number, and landed them also at New Orleans, which said vessels were seized, together with their effects, and libelled, for a violation of an act, entitled "An act to prohibit the importation of slaves into any port or place of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight,"\*\* be, and they are hereby, severally, released from the seizures aforesaid. And that

[\*\* Ante, chap. 77.]

the schooner *Wolfe*, of Baltimore, owned and commanded by **1810.**  
**Levin Jones**, which vessel was seized some time in October  
 last, at Norfolk, in Virginia, on account of having brought from  
 Charleston, in South Carolina, to that place, certain French  
 slaves, nineteen in number, without previously complying with  
 the requisites enjoined by the ninth and tenth sections of the act  
 aforesaid, be, and she is hereby, also released from the seizure.

**SECT. 2.** *And be it further enacted*, That all penalties or forfeitures, which may have been incurred, either by the captains or owners of said vessels, in consequence of the violation of any of the provisions of the act referred to in the first section, be, and the same are hereby, remitted. [*Approved, February 5, 1810.*]

**CHAP. 233. [XXV.]** An act in addition to the "Act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio."<sup>†</sup>

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in addition to the unexpended balance of the sum heretofore appropriated for the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio, the sum of sixty thousand dollars be, and the same is hereby, appropriated, and to be expended under the direction of the president of the United States, in making said road between Cumberland, in the state of Maryland, and Brownsville, in the state of Pennsylvania, commencing at Cumberland; which sum of sixty thousand dollars shall be paid out of the fund reserved for laying out and making roads to the state of Ohio, by virtue of the seventh section of an act, passed on the thirtieth day of April, one thousand eight hundred and two, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the union on an equal footing with the original states, and for other purposes."<sup>†</sup>

[*Approved, February 14, 1810.*]

[\* Obsolete. See orig. act of 30th March, 1806; ante, chap. 19. See, also, chap. 393, post.] 60,000 dolls. in addition to the unexpended balance, &c. appropriated for the purpose of making the road (between Cumberland and Brownsville) from Cumberland to Ohio, to be paid out of the fund reserved by the 7th sec. of the act referred to.

[† Chap. 306, vol. 3.]

**CHAP. 234. [XXVI.]** An act for the relief of John N. Stout.<sup>†</sup>

[† Private and obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the proper accounting officers of the treasury be, and they are hereby, authorized and directed to settle the account of John N. Stout, keeper of the gaol of Fleming county, in the state of Kentucky, and allow him the legal fees for maintaining George Barnaby, while in his custody, as a prisoner committed to the gaol of said county, by virtue of an execution issued from the court of the United States for the district of Kentucky, and that they pay the sum which may be found due to the said John N. Stout, out of any moneys in the treasury, not otherwise appropriated. [*Approved, February 14, 1810.*]

The proper accounting officers of the treasury directed to settle the account of John N. Stout, keeper of the gaol, Fleming county, Kentucky, and allow him the legal fees for maintaining George Barnaby, &c.



1810. CHAP. 235. [XXVII.] An act authorizing the discharge of William Hawkins from his imprisonment.\*

[\*Private.]

The marshal for the district of Maine directed to discharge William Hawkins from imprisonment, &c. Proviso; William Hawkins to pay and satisfy all costs on the part of the United States, and convey all his estate for their benefit, &c. Proviso; any future estate to be liable, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the marshal for the district of Maine be, and he is hereby, authorized and directed to discharge William Hawkins from his imprisonment, upon an execution issued against him in behalf of the United States: *Provided, That* the said William Hawkins shall pay and satisfy all the costs that have arisen on the part of the United States in the said prosecution, and shall assign and convey all the estate, real and personal, which he may own, or be entitled to, to some person for the use and benefit of the United States, under the direction of the secretary of the treasury: *And provided also, That* any estate, real or personal, which the said William Hawkins may hereafter acquire, shall be liable to be taken and sold, in the same manner as if he had never been imprisoned and discharged, as aforesaid. [Approved, February 20, 1810.]

CHAP. 236. [XXVIII.] An act to prescribe the mode in which application shall be made for the purchase of land at the several land offices; and for the relief of Joab Garret.

After the 1st June, 1810, persons applying at any of the land offices of the United States, for the purchase, at private sale, of a tract of land, to produce to the register a memorandum in writing, describing the tract, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* from and after the first day of June next, every person making application, at any of the land offices of the United States, for the purchase, at private sale, of a tract of land, shall produce to the register a memorandum in writing, describing the tract, which he shall enter by the proper number of the section, half section, or quarter, (as the case may be) and of the township and range, subscribing his name thereto, which memorandum the register shall file and preserve in his office.

[† Private.] Joab Garret permitted to withdraw his entry, &c. and the money paid thereon to be placed to his credit, &c.

SECT. 2.† *And be it further enacted, That* Joab Garret shall be permitted to withdraw his entry, made on the second day of September, one thousand eight hundred and seven, at the land office at Vincennes, from the northwest quarter section number two, township number seven, south range number seven, west; and the money paid by him on the said entry shall be placed to his credit, on any purchase he shall or may have made of public land in the same district. [Approved, February 24, 1810.]

[‡ See former act, of 7th April, 1798; chap. 43, vol. 3. See, also, chap. 386, post.] Persons having claims under the resolutions of congress referred to, as refugees from Canada and Nova Scotia, to transmit an account of their claims to the war office within two years, &c. [§ See page 577, vol. 1.]

CHAP. 237. [XXIX.] An act further to provide for the refugees from the British provinces of Canada and Nova Scotia, and for other purposes.‡

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* all persons having claims under the resolutions of congress, passed the twenty-third day of April, one thousand seven hundred and eighty-three, and the thirteenth of April, one thousand seven hundred and eighty-five,§ as refugees from the British provinces of Canada and Nova Scotia, shall transmit to the war office,

within two years after the passing of this act, a just and true account of their claims to the bounty of congress.

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**SECT. 2.** *And be it further enacted,* That no other person shall be entitled to the benefits of the provisions of this act than those of the following descriptions, or their widows and heirs, viz: First, Those heads of families, and single persons not members of any such families, who were residents in one of the provinces aforesaid prior to the fourth day of July, one thousand seven hundred and seventy-six, and who abandoned their settlements in consequence of having given aid to the united colonies or states, in the revolutionary war, against Great Britain, or with intention to give such aid, and continued in the United States, or in their service, during the said war, and did not return to reside in the dominions of the king of Great Britain prior to the twenty-fifth day of November, one thousand seven hundred and eighty-three. Secondly, The widows and heirs of all such persons as were actually residents as aforesaid, who abandoned their settlements as aforesaid, and died within the United States, or in their service during the said war: And thirdly, All persons who were members of families at the time of their coming into the United States, and who, during the war, entered into their service.

Description of persons entitled to the benefits of this act.

1. Heads of families, and single persons, resident in Canada or Nova Scotia prior to 4th July, 1776, and who abandoned their settlements, &c. and did not return prior to the 25th Nov. 1783.

2. Widows and heirs of refugees who died in the United States, &c.

3. Members of families, who entered into the service of the United States during the war, &c.

**SECT. 3.** *And be it further enacted,* That the proof of the several circumstances necessary to entitle the applicants to the benefits of this act, may be taken before a judge of the supreme or district court of the United States, or a judge of the supreme or superior court, or the first justice or first judge of the court of common pleas, or county court, of any state.

The proof of the circumstances necessary to entitle the applicants to the benefits of this act may be taken before judges of state, or of the United States, courts.

**SECT. 4.** *And be it further enacted,* That, at the expiration of fifteen months from and after the passing of this act, and from time to time thereafter, it shall be the duty of the secretary for the department of war, to lay such evidence of claims as he may have received, before the secretary and comptroller of the treasury, and, with them, proceed to examine the testimony, and give their judgment, what quantity of land ought to be allowed to the individual claimants, in proportion to the degree of their respective services, sacrifices, and sufferings, in consequence of their attachment to the cause of the United States; allowing to those of the first class a quantity not exceeding one thousand acres, and to the last class a quantity not exceeding one hundred, making such intermediate classes as the resolutions aforesaid, and distributive justice may, in their judgment, require, and make report thereof to congress. And in case any such claimant shall have sustained such losses and sufferings, or performed such services, for the United States, that he cannot justly be classed in any one general class, a separate report shall be made of his circumstances, together with the quantity of land that ought to be allowed him, having reference to the foregoing ratio: *Provided,* That, in considering what compensation ought to be made by virtue of this act, all grants, except military grants, which may have been made by the United States or individual states, shall be considered at the just value thereof, at the time the same were

The secretary of war to lay the evidence of claims before the secretary and comptroller of the treasury, and, with them, to examine and decide, what quantity of land ought to be allowed, &c.

Claimants of the first class to be allowed not exceeding 1,000, and of the last, not exceeding 100, acres, with intermediate classes, &c. Separate report to be made of claimants who, on account of services, &c. cannot justly be classed in any one general class, &c.

Provido; in considering what compensation ought to be made by this act, all grants, except, &c. at the just value, to be estimated

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no satisfaction,  
 &c.  
 Provide; no  
 claim assignable  
 until the lands  
 be granted, &c.

Claims, &c. not  
 exhibited with-  
 in the time li-  
 mited, forever  
 barred.  
 Provide; no pa-  
 tent to issue,  
 &c. until the  
 party produces  
 evidence that he  
 is at the time a  
 resident, &c.

made, respectively, either in whole or in part, as the case may be, a satisfaction to those who may have received the same: *Provided also*, That no claim under this law shall be assignable until after report made to congress as aforesaid, and until the said lands be granted to the persons entitled to the benefit of this act.

SECT. 5. *And be it further enacted*, That all claims in virtue of said resolutions of congress which shall not be exhibited, as aforesaid, within the time by this act limited, shall forever there- after be barred: *Provided*, That no patent shall be issued to any person who may hereafter establish his claim under the said act, until he produce satisfactory evidence, to the secretary of the treasury, that he is at the time then being a resident within the United States. [*Approved, February 24, 1810.*]

[\* Obsolete.]

CHAP. 238. [XXX.] An act making appropriations for the support of go- vernment, during the year one thousand eight hundred and ten.\*

Sums appropri-  
 ated for the ob-  
 jects mentioned.

SECT. 1. *Be it enacted by the senate and house of representa- tives of the United States of America in congress assembled*, That, for the expenditure of the civil list, in the present year, includ- ing the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expense of intercourse with foreign nations; for the sup- port of lighthouses, beacons, buoys, and public piers; for de- fraying the expenses of surveying the public lands, and for satis- fying certain miscellaneous claims, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

For members of  
 congress, their  
 officers, &c.

For compensation granted by law to the members of the senate and house of representatives, their officers and attendants, esti- mated for a session of four months and a half continuance, two hundred and one thousand four hundred and twenty-five dollars.

For the contin-  
 gent expenses  
 of congress.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of congress, thirty-four thousand dollars.

For contingent  
 expenses of the  
 library of con-  
 gress, &c.

For all contingent expenses of the library of congress, and for the librarian's allowance, for the year one thousand eight hun- dred and ten, eight hundred dollars.

For the presi-  
 dent and vice  
 president.

For compensation to the president and vice president of the United States, thirty thousand dollars.

For the secreta-  
 ry of state,  
 clerks, &c.

For compensation to the secretary of state, clerks, and persons employed in that department, including the sum of one thousand four hundred and seventy-eight dollars for compensation to his clerks, in addition to the sum allowed by the act of the twenty- first of April, one thousand eight hundred and six,† fourteen thousand and thirty-eight dollars.

For the contin-  
 gent expenses of  
 the department  
 of state.  
 For printing and  
 distributing the  
 laws.

For the incidental and contingent expenses of the said depart- ment, one thousand three hundred and fifty dollars.

For printing and distributing the laws of the first and second session of the eleventh congress, and printing the laws in news- papers, six thousand two hundred and fifty dollars.

[† Ante, ch. 41.]

For compensation to the secretary of the treasury, clerks, and persons employed in his office, including the sum of one thousand dollars for clerk hire, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,\* sixteen thousand seven hundred dollars.

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For the secretary of the treasury, clerks, &c.

[\* Ance, ch. 41.]

For the expense of translating foreign languages, allowance to the person employed in transmitting passports and sealetters, and for stationery, in the office of the secretary of the treasury, one thousand dollars.

For translating foreign languages, &c. in the office of the secretary of the treasury.

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, including the sum of one thousand six hundred and thirty-nine dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,† four-  
teen thousand six hundred and sixteen dollars.

For the comptroller, clerks &c.

[† Ance, ch. 41.]

For expense of stationery, printing, and incidental and contingent expenses of the comptroller's office, eight hundred dollars.

For contingent expenses of the comptroller's office.

For compensation to the auditor of the treasury, clerks, and persons employed in his office, twelve thousand two hundred and twenty-one dollars.

For the auditor, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses of the auditor's office, five hundred dollars.

For contingent expenses of the auditor's office.

For compensation to the treasurer, clerks, and persons employed in his office, six thousand two hundred and twenty-seven dollars and forty-five cents.

For the treasurer, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses in the treasurer's office, three hundred dollars.

For contingent expenses in the treasurer's office.

For compensation to the register of the treasury, clerks, and persons employed in his office, sixteen thousand and fifty-two dollars and two cents.

For the register, clerks, &c.

For compensation to the messenger and doorkeeper of the register's office, for stamping and arranging the ship registers, ninety dollars.

For the messenger, &c. of the register's office.

For expense of stationery, printing, and all other incidental and contingent expenses in the register's office, including books for the public stocks, and for the arrangement of the marine records, two thousand eight hundred dollars.

For contingent expenses in the register's office, &c.

For fuel, and other contingent and incidental expenses of the treasury department, four thousand dollars.

For fuel, &c. for the treasury department.

For defraying the expense of printing and stating the public accounts, for the year one thousand eight hundred and ten, one thousand two hundred dollars.

For printing and stating the public accounts.

For the purchase of books, maps, and charts, for the use of the treasury department, four hundred dollars.

For the purchase of books, maps, &c. for the treasury department.

For compensation to a superintendent, employed to secure the buildings and records of the treasury department, during the year one thousand eight hundred and ten, including the expense of two watchmen, the repairs of two fire engines, buckets, lanterns, and other incidental and contingent expenses, one thousand one hundred dollars.

For a superintendent of the buildings and records of the treasury, watchmen, &c.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

For the secretary of the commissioners of the sinking fund.

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**For the secretary of war, clerks, and persons employed in his office, eleven thousand two hundred and fifty dollars.**

**For contingent expenses of the office of the secretary of war, one thousand dollars.**

**For the accountant of the war department, clerks, and persons employed in his office, ten thousand nine hundred and ten dollars.**

**For contingent expenses in the office of the accountant of the war department, one thousand dollars.**

**For the clerk in the paymaster's office, three thousand four hundred dollars.**

**For contingent expenses in the said office, two hundred dollars.**

**For compensation of additional clerks in the office of the superintendent of Indian trade, eight hundred dollars.**

**For compensation to the purveyor of public supplies, clerks, and persons employed in his office, and for expense of stationery, store rent, and fuel, for the said office, four thousand six hundred dollars.**

**For the secretary of the navy, clerks, and persons employed in his office, nine thousand eight hundred and ten dollars.**

**For expense of fuel, stationery, printing, and other contingent expenses in the said office, two thousand dollars.**

**For compensation to the accountant of the navy, clerks, and persons employed in his office, ten thousand four hundred and ten dollars.**

**For contingent expenses in the office of the accountant of the navy, one thousand dollars.**

**For compensation to the postmaster general, assistant postmaster general, clerks, and persons employed in the postmaster general's office, including the sum of one thousand five hundred and forty-five dollars, for compensation to clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,\* sixteen thousand dollars.**

**For expense of fuel, candles, house rent for the messenger, stationery, chests, &c. pertaining to the postmaster general's office, two thousand five hundred dollars.**

**For loan officers. For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars.**

**For the clerks of the commissioners of loans, and for allowances to certain loan officers in lieu of clerk hire, and to defray the authorized expense of the several loan offices, fifteen thousand dollars.**

**For the surveyor general and his clerks, three thousand two hundred dollars.**

**For compensation to the surveyor of the lands south of the state of Tennessee, clerks employed in his office, and for stationery, and other contingencies, three thousand two hundred dollars.**

**For the officers of the mint. For compensation to the officers of the mint:**

The director, two thousand dollars:

The treasurer, one thousand two hundred dollars:

The assayer, one thousand five hundred dollars:

The chief coiner, one thousand five hundred dollars:

The melter and refiner, one thousand five hundred dollars:

The engraver, one thousand two hundred dollars:

One clerk, at seven hundred dollars:

And two clerks, at five hundred dollars each, one thousand dollars.

For wages to the persons employed in the different branches of melting, coining, carpenter's, millwright's, and smith's work, including the sum of one thousand dollars per annum, allowed to an assistant coiner and die forger, who also oversees the execution of the iron work, and of six hundred dollars per annum, allowed to an assistant engraver, eight thousand dollars.

For repairs of furnaces, cast rollers and screws, timber, bar iron, lead, steel, potash, and for all other contingencies of the mint, two thousand seven hundred and seventy-five dollars.

For compensation to the governor, judges, and secretary, of the territory of Orleans, thirteen thousand dollars.

For expense of stationery, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Mississippi territory, seven thousand eight hundred dollars.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Indiana territory, six thousand six hundred dollars.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Michigan territory, six thousand six hundred dollars.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Louisiana territory, six thousand six hundred dollars.

For expense of stationery, office rent, and other contingent expenses of the said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Illinois territory, six thousand six hundred dollars.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in a due course of settlement at the treasury, two thousand dollars.

For additional compensation to the clerks in the several departments of state, treasury, war, and navy, and of the general post office, not exceeding, for each department, respectively, fifteen per centum, in addition to the sums allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other

1810.

Director.  
Treasurer.  
Assayer.  
Chief coiner.  
Melter and refiner.  
Engraver.  
Clerks.

For the wages of persons employed in the mint.

For contingencies of the mint establishment.

For the governor, judges, &c. of the territory of Orleans.  
For contingent territorial expenses.

For the governor, judges, &c. of the Mississippi territory.  
For contingent territorial expenses.

For the governor, judges, &c. of Indiana territory.  
For contingent territorial expenses.

For the governor, judges, &c. of Michigan territory.  
For contingent territorial expenses.

For the governor, judges, &c. of Louisiana territory.  
For contingent territorial expenses.

For the governor, judges, &c. of the Illinois territory.  
For contingent territorial expenses.

For the discharge of demands not otherwise provided for, &c.

Additional, for the clerks in the several departments, and in the general post office.

1810.

[\* Ante, ch. 41.]  
For the judges  
and attorney  
general.

purposes,"\* thirteen thousand two hundred and sixty-three dol-  
lars and thirty-two cents.

For the district  
attorneys.

For compensation granted by law to the chief justice, the as-  
sociate judges, and district judges, of the United States, includ-  
ing the chief justice and two associate judges for the district of  
Columbia; to the attorney general, and to the district judge of  
the territory of Orleans, fifty-nine thousand four hundred dollars.

For the marshals  
of the districts  
mentioned.

For the like compensation granted to the several district at-  
torneys of the United States, three thousand four hundred dollars.

For compensations granted to the several marshals for the dis-  
tricts of Maine, New Hampshire, Vermont, New Jersey, North  
Carolina, Kentucky, Ohio, East and West Tennessee, and Or-  
leans, two thousand two hundred dollars.

For defraying  
the expenses of  
courts, jurors,  
and witnesses,  
in aid of the  
funds arising  
from fines, &c.

For defraying the expenses of the supreme, circuit, and dis-  
trict, courts of the United States, including the district of Co-  
lumbia, and of jurors, and witnesses, in aid of the funds arising  
from fines, forfeitures, and penalties, and for defraying the ex-  
penses of prosecutions for offences against the United States, and  
for the safe keeping of prisoners, forty thousand dollars.

For the payment  
of sundry pen-  
sions, &c.

For the payment of sundry pensions granted by the late go-  
vernment, nine hundred and sixty dollars.

For the annual  
allowance to in-  
valid pensioners.

For the payment of the annual allowance to the invalid pen-  
sioners of the United States, from the fifth of March, one thou-  
sand eight hundred and ten, to the fourth of March, one thou-  
sand eight hundred and eleven, ninety-eight thousand dollars.

For the support  
of lighthouses,  
beacons, buoys,  
&c.

For the maintenance and support of lighthouses, beacons,  
buoys, and public piers, stakeages of channels, bars, and shoals,  
and certain contingent expenses, sixty-eight thousand one hun-  
dred and thirty-one dollars and four cents.

For erecting a  
lighthouse on  
St. Simon's  
island, &c.

For erecting a lighthouse on St. Simon's island, in Georgia,  
and placing buoy or buoys on or near the bar of St. Simon's,  
being the balance of former appropriations carried to the surplus  
fund, nine thousand and fifty dollars.

For erecting a  
beacon and plac-  
ing buoys near  
the entrance of  
Savannah river,  
&c.

For erecting a beacon, and placing buoys, near the entrance  
of Savannah river, being an expense incurred under the act of  
the sixteenth day of July, seventeen hundred and ninety-eight,  
(a former appropriation for the same object having been carried  
to the credit of the surplus fund) two thousand four hundred  
and ninety-four dollars and eighty-nine cents.

For erecting  
lighthouses at  
the mouth of the  
Mississippi, and  
at or near the  
pitch of Cape  
Look Out, &c.  
For building a  
lighthouse at  
Naushawn  
island, &c.

For erecting lighthouses at the mouth of the Mississippi  
river, and at or near the pitch of Cape Look Out, in North Ca-  
rolina, being the amount of an additional appropriation carried  
to the surplus fund, fifty-five thousand dollars.

For building a lighthouse at Naushawn island, near Tarpaulin  
cove, in Massachusetts, being a balance of former appropriation  
carried to the surplus fund, two thousand four hundred and  
seventy-five dollars.

For rebuilding  
the lighthouse  
on North island,  
&c.

For rebuilding the lighthouse on North island, at the entrance  
of Winyaw bay, in South Carolina, being the amount of appro-  
priation carried to the surplus fund, twenty thousand dollars.

For fixing buoys  
and stakes in and  
along the chan-

For fixing buoys and stakes in and along the channel in Win-  
yaw bay, leading to the harbor of Georgetown, South Carolina,

being the amount of appropriation carried to the surplus fund, 1810.  
one thousand five hundred dollars.

For erecting a lighthouse on point Judith, Rhode Island, in addition to the appropriation heretofore made for that purpose, two hundred dollars.

For defraying the expense of surveying the public lands within the several territories of the United States, thirty thousand dollars.

For repaying the bank of the United States a sum advanced to the late collector of New Orleans, to enable him to pay drawbacks, one hundred thousand dollars.

For expenses of intercourse with foreign nations, forty-nine thousand four hundred dollars.

For the contingent expenses of intercourse with foreign nations, fifty thousand dollars.

For expenses of intercourse with the Barbary powers, fifty thousand dollars.

For the contingent expenses of intercourse with the Barbary powers, fifty thousand dollars.

For the relief and protection of distressed American seamen, including the sum of twenty thousand dollars to reimburse the bankers of the United States in London, and others, sums heretofore advanced by them for this object, twenty-five thousand dollars.

For expenses of prosecuting claims and appeals in the courts of Great Britain, in relation to captures of American vessels, and defending causes elsewhere, six thousand dollars.

To enable the accounting officers of the treasury formally to pass the accounts of Timothy Pickering, late secretary for the department of state, the sum of seventy-eight thousand five hundred and eighty-three dollars and eleven cents, being the amount of former appropriations of moneys received and expended by him in that department, by the application of surplusses in some articles, and appropriations to others in which the appropriations were deficient.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, four thousand dollars.

SECT. 2. *And be it further enacted*, That the several appropriations hereinbefore made shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by an act making provision for the debt of the United States,\* and out of any moneys in the treasury, not otherwise appropriated.

[Approved, February 26, 1810.]

CHAP. 239. [XXXI.] An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and ten.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That,

nel in Winyaw bay, &c.  
For erecting a lighthouse on Point Judith.

For the expense of surveying the public lands.

For repaying the bank of the United States a sum advanced to the collector of New Orleans.  
For intercourse with foreign nations.

For contingent expenses of foreign intercourse.  
For intercourse with the Barbary powers.

For the relief, &c. of American seamen.

For prosecuting claims and appeals in the courts of Great Britain, in relation to captures, &c.  
To enable the accounting officers of the treasury formally to pass the accounts of Timothy Pickering, &c.

For the discharge of miscellaneous claims admitted at the treasury, &c.

The preceding appropriations to be paid out of the fund reserved, &c.  
[\* See chap. 61, vol. 2.]



**1810.** for defraying the expenses of the navy of the United States, for the year one thousand eight hundred and ten, the following sums be, and the same are hereby, respectively, appropriated; that is to say:

Sums appropriated for defraying the expenses of the navy for the year 1810. For pay and subsistence of officers, and pay of seamen.

For the pay and subsistence of the officers, and pay of the seamen, seven hundred and eighteen thousand one hundred and fifteen dollars.

For provisions.

For provisions, three hundred and fifty-three thousand six hundred and ten dollars and eighty-four cents.

For medicines, &c.

For medicines, instruments, and hospital stores, sixteen thousand dollars.

For repairs of vessels.

For repairs of vessels, one hundred and fifty thousand dollars.

For freight, store rent, &c.

For freight, store rent, commissions to agents, and other contingent expenses, seventy-five thousand dollars.

For pay and subsistence of the marine corps.

For pay and subsistence of the marine corps, including provisions for those on shore, and forage for the staff, one hundred and forty thousand one hundred and twenty-one dollars and forty cents.

For clothing for the marine corps.

For clothing for the same, thirty-eight thousand three hundred and ninety-four dollars and seventy cents.

For military stores for the marine corps.

For military stores for the same, one thousand three hundred and ninety-eight dollars and seventy-five cents.

For medicines, medical services, &c.

For medicines, medical services, hospital stores, and all other expenses on account of the sick belonging to the marine corps, two thousand dollars.

For contingent expenses of the marine corps.

For quartermaster's and barrackmaster's stores, officers' travelling expenses, armorer's and carpenter's bills, fuel, premiums for enlisting, musical instruments, bounty to music, and other contingent expenses of the marine corps, fifteen thousand dollars.

For the expenses of navy yards, &c.

For the expenses of navy yards, comprising dock and other improvements, pay of superintendents, storekeepers, clerks, and laborers, seventy-five thousand dollars.

For ordnance, &c.

For ordnance and small arms, seventy-five thousand dollars.

Sums appropriated by this act to be paid out of unappropriated moneys in the treasury.

**SECT. 2.** *And be it further enacted,* That the several sums specifically appropriated by this act, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, March 2, 1810.]

**CHAP. 240. [XXXII.]** An act making appropriations for the support of the military establishment of the United States, for the year one thousand eight hundred and ten.\*

[\* Obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for defraying the expenses of the military establishment of the United States, for the year one thousand eight hundred and ten, for the Indian department, and for the expense of fortifications, arsenals, magazines, and armories, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

Sums appropriated for defraying the expenses of the military establishment, for the year 1810, &c.

For the pay of the army.

For the pay of the army of the United States, eight hundred and sixty-nine thousand nine hundred and sixty-eight dollars.

For forage.

For forage, sixty-four thousand six hundred and twenty-four dollars.

For subsistence, six hundred and eighty-five thousand five hundred and thirty-two dollars and five cents. 1810.  
For subsistence.

For clothing, two hundred and ninety-three thousand eight hundred and four dollars. For clothing.

For bounties and premiums, thirty thousand dollars. For bounties and premiums.

For the medical and hospital departments, fifty thousand dollars. For the medical and hospital departments.

For camp equipage, fuel, tools, and transportation, two hundred and seventy thousand dollars. For camp equipage, &c.

For ordnance, two hundred thousand dollars. For ordnance.

For fortifications, arsenals, magazines, and armories, including two thousand dollars for such a number of additional military storekeepers as may be required, two hundred and eighty-three thousand five hundred and seventy-four dollars and seventy-five cents. For fortifications, arsenals, &c.

For purchasing maps, plans, books, and instruments, two thousand five hundred dollars. For maps, plans, &c.

For contingencies, fifty thousand dollars. For contingencies.

For the salary of clerks employed in the military agents' offices, and in the office of inspector of the army, three thousand five hundred dollars. For clerks in the military agents' offices, &c.

For the Indian department, one hundred and forty-six thousand six hundred dollars. For the Indian department.

SECT. 2. *And be it further enacted*, That the several sums specifically appropriated by this act shall be paid out of any moneys in the treasury, not otherwise appropriated. The preceding appropriations to be paid out of unappropriated moneys in the treasury.

[Approved, March 2, 1810.]

CHAP. 241. [XXXIII.] An act for the appointment of an additional judge, and extending the right of suffrage to the citizens of Madison county, in the Mississippi territory.\* [\*See, with respect to the right of suffrage in the Mississippi territory, chap. 883, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the citizens of Madison county, in the Mississippi territory, qualified according to law, be, and they are hereby, authorized to elect one representative to the general assembly of said territory, and also to vote for one delegate from said territory to the congress of the United States; which election shall be held at the same time, and in the same manner, as is, or may be, provided by law for the elections in the several counties of said territory. The citizens of Madison county, in the Mississippi territory, qualified, &c. to elect one representative to the general assembly of the territory, and to vote for one delegate to congress, &c.

SECT. 2. *And be it further enacted*, That an additional judge shall be appointed for the Mississippi territory, who shall reside in said county of Madison, and have the same compensation which is by law allowed to the other judges of said territory,† and shall possess and exercise the same powers and jurisdiction, within said county, which are possessed and exercised in the county of Washington, in said territory, by the judge appointed by virtue of an act, entitled "An act for the appointment of an additional judge for the Mississippi territory, and for other purposes,"‡ passed the twenty-seventh of March, one thousand eight hundred and four. [†Ch. 413, vol. 3.]

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Final judgments and decrees rendered in the superior courts of Washington and Madison counties may be re-examined, and reversed or affirmed, by the superior court of Adams county, &c.

The superior court of Adams county, when sitting on the trial of a cause removed, to be composed of not less than two judges.

The legislature of the territory empowered to establish a superior court in each county which may be formed within the bounds of the district of Washington, &c.

The conditions on which writs of error may be obtained, &c., may be regulated by the legislature.

So much of the act for the appointment of an additional judge for the Mississippi territory, &c., as comes within the purview of this act, repealed.

[\*Ch.412, vol.3.]

**SECT. 3.** *And be it further enacted,* That all final judgments and decrees, rendered in the superior courts of said counties of Washington and Madison, may be re-examined, and reversed or affirmed, by the superior court of Adams county, in said territory, upon a writ of error issued from said superior court; which said superior court is hereby empowered, upon the reversal of any judgment or decree of said courts of Washington and Madison counties, to render such judgment as the court from whence the cause may have been removed ought to have rendered; except where a jury may be requisite to try issues or assess damages. In which cases the cause shall be remanded to the court where it originated; there to be proceeded in. And said superior court of Adams county, when sitting on the trial of any cause removed as aforesaid, shall be composed of not less than two judges.

**SECT. 4.** *And be it further enacted,* That the legislature of said territory shall have power, and is hereby authorized, to establish a superior court in each county, which has been or may be formed within the bounds which compose the former district or county of Washington, to be holden by the judge who holds the superior court of Washington county in said territory; which courts, and the courts of Madison county, to be holden at such times and places as said legislature may direct. And all final judgments and decrees to be rendered by any superior court so established, may be re-examined, and reversed or affirmed, in the manner prescribed by the third section of this act; and the conditions on which any writ of error shall be obtained, and all other proceedings relative thereto, may be regulated by said legislature.

**SECT. 5.** *And be it further enacted,* That so much of the act, entitled "An act for the appointment of an additional judge for the Mississippi territory, and for other purposes,"\* passed the twenty-seventh day of March, one thousand eight hundred and four, as comes within the purview of this act, be, and the same is hereby, repealed.

[Approved, March 2, 1810.]

[†Obsolete. See the const. art. 1, sec. 2, cl. 3, page 61, vol. 1.]

CHAP. 342. [XXXV.] An act providing for the third census or enumeration of the inhabitants of the United States.†

The marshals of the several districts of the United States, &c., and the secretaries of the territories, required to cause the number of inhabitants to be taken, under the direction of the secretary of state, &c.

Indians not taxed to be omitted in the enumeration.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the marshals of the several districts of the United States, and of the district of Columbia, and the secretaries of the Mississippi territory, of the Indiana territory, of the Michigan territory, of the Illinois territory, of the Louisiana territory, and of the Orleans territory, respectively, shall be, and they are hereby, authorized and required, under the direction of the secretary of state, and according to such instructions as he shall give pursuant to this act, to cause the number of the inhabitants within their respective districts and territories to be taken, omitting in such enumeration Indians not taxed, and distinguishing free persons, including those bound to service for a term of years, from all

others; distinguishing also the sexes and colors of free persons, and the free males under ten years of age; and those of ten years, and under sixteen; those of sixteen, and under twenty-six; those of twenty-six, and under forty-five; those of forty-five and upwards. And distinguishing free females under ten years of age; those of ten years, and under sixteen; those of sixteen, and under twenty-six; those of twenty-six, and under forty-five; those of forty-five and upwards. For effecting of which, the marshals and secretaries aforesaid shall have power, and hereby are, respectively, authorized and required, to appoint one or more assistants in each county and city, in their respective districts and territories, residents of the county and city for which they shall be appointed, and shall assign a certain division of his district or territory to each assistant, which division shall not consist of more than one county or city, but may consist of one or more towns, townships, wards, hundreds, or parishes, plainly and distinctly bounded by water courses, mountains, public roads, or other monuments. And the said enumeration shall be made by an actual inquiry at every dwelling house, or of the head of every family, within each district, and not otherwise. The marshals or secretaries, as the case may be, and their assistants, shall, respectively, take an oath or affirmation, before some judge or justice of the peace resident within their respective districts or territories, previous to their entering on the duties by this act required.\* The oath or affirmation of the marshal or secretary shall be as follows: "*I, A B, marshal of the district of* (or, *secretary of the territory of* as the case may be) *do solemnly swear, or affirm, that I will, well and truly, cause to be made a just and perfect enumeration and description of all persons resident within my district, (or territory) and return the same to the secretary of state, agreeably to the directions of an act of congress, entitled 'An act providing for the third census or enumeration of the inhabitants of the United States,' according to the best of my ability.*" The oath or affirmation of an assistant shall be: "*I, A B, do solemnly swear, (or affirm) that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me for that purpose by the marshal of* (or, *the secretary of the territory of* as the case may be) *and make due return thereof to the said marshal (or secretary) agreeably to the directions of an act of congress, entitled 'An act providing for the third census or enumeration of the inhabitants of the United States,' according to the best of my abilities.*" The enumeration shall commence on the first Monday of August next, and shall close within nine calendar months thereafter. The several assistants shall, within the said nine months,† transmit to the marshals or secretaries, by whom they shall be respectively appointed, accurate returns of all persons, except Indians not taxed, within their respective divisions; which returns shall be made in a schedule, distinguishing, in each county, city, town, township, hundred, ward, or parish, the several families, by the names of their master, mistress, steward, overseer, or other principal

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tion, and free persons, &c. to be distinguished from others, &c. classification according to age, &c.

The marshals and secretaries to appoint assistants, and assign them divisions, &c. distinctly bounded, &c.

The enumeration to be made by actual inquiry at every dwelling house, &c. The marshals and secretaries, &c. to take an oath, &c.

[\* See chap. 363, post.]  
Form of the oath of a marshal or secretary.

Form of the oath of an assistant.

The enumeration to commence on the first Monday of August, 1810, and close within nine months, [† See chap. 349, post.] The assistants to transmit to the marshals, &c. accurate returns within nine months, in a schedule, &c.

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person therein, in the manner following; that is to say: The number of persons within my division, consisting of \_\_\_\_\_ appears in a schedule hereto annexed, subscribed by me, this \_\_\_\_\_ day of \_\_\_\_\_ A B, assistant to the marshal of \_\_\_\_\_ or secretary of \_\_\_\_\_

*Schedule of the whole number of persons within the division allotted to A B.*

Form of the schedule.

	Name of the county, parish, township, town, or city, where the family resides.
	Names of head of family.
	Free white males under ten years of age.
	Free white males of ten, and under sixteen.
	Free white males of sixteen, and under twenty-six, including heads of families.
	Free white males of twenty-six, and under forty-five, including heads of families.
	Free white males of forty-five and upwards, including heads of families.
	Free white females under ten years of age.
	Free white females of ten years, and under sixteen.
	Free white females of sixteen, and under twenty-six, including heads of families.
	Free white females of twenty-six, and under forty-five, including heads of families.
	Free white females of forty-five and upwards, including heads of families.
	All other free persons, except Indians not taxed.
	Slaves.

Every assistant failing to make a proper, or making a false return, within the time limited, so forfeit 200 dollars.

The marshals and secretaries to file the returns, &c. with the clerks of the district, or superior, courts, &c.

The marshals and secretaries, on or before the 1st March, 1811, to transmit to the secretary of state the aggregate amount of each description of persons, &c. Every marshal and secretary failing to file returns, or to return the aggregate amount, &c. within the time limited, &c. to forfeit 200 dollars. The forfeitures recoverable, &c. by action of debt, &c.

SECT. 2. *And be it further enacted,* That every assistant failing or neglecting to make a proper return, or making a false return, of the enumeration to the marshal, or the secretary, (as the case may be,) within the time limited by this act, shall forfeit the sum of two hundred dollars.

SECT. 3. *And be it further enacted,* That the marshals and secretaries shall file the several returns aforesaid, and also an attested copy of the aggregate amount hereinafter directed to be transmitted by them, respectively, to the secretary of state, with the clerks of their respective districts, or superior courts, (as the case may be,) who are hereby directed to receive and carefully preserve the same. And the marshals and secretaries, respectively, shall, on or before the first day of March, one thousand eight hundred and eleven, transmit to the secretary of state the aggregate amount of each description of persons within their respective districts or territories. And every marshal or secretary failing to file the returns of his assistant, or any of them, with the clerks of their respective courts, as aforesaid, or failing to return the aggregate amount of each description of persons in their respective districts or territories, as required by this act, and as the same shall appear from said returns, to the secretary of state, within the time limited by this act, shall, for every such offence, forfeit the sum of eight hundred dollars; all which forfeitures shall be recoverable in the courts of the districts or ter-

ritories where the said offences shall be committed, or in the circuit courts to be held within the same, by action of debt, information, or indictment; the one-half thereof to the use of the United States, and the other half to the informer; but where the prosecution shall be first instituted on behalf of the United States, the whole shall accrue to their use. And, for the more effectual discovery of such offences, the judges of the several district courts in the several districts, and of the supreme courts in the territories of the United States, as aforesaid, at their next sessions to be held after the expiration of the time allowed for making the returns of the enumeration hereby directed to the secretary of state, shall give this act in charge to the grand juries in their respective courts, and shall cause the returns of the several assistants, and the said attested copy of the aggregate amount aforesaid, to be laid before them for their inspection.

A moiety of the forfeitures to the informer; except, &c.

The judges of the district, and supreme territorial courts, &c. to give this act in charge to the grand juries, and cause the returns, &c. to be laid before them.

**SECT. 4.** *And be it further enacted,* That every assistant shall receive at the rate of one dollar for every hundred persons by him returned, where such persons reside in the country; and where such persons reside in a city or town, containing more than three thousand persons, such assistant shall receive at the rate of one dollar for every three hundred persons; but where, from the dispersed situation of the inhabitants, in some divisions, one dollar for every hundred persons shall be insufficient, the marshals or secretaries, with the approbation of the judges of their respective districts or territories, may make such further allowance to the assistants in such divisions, as shall be deemed an adequate compensation: *Provided,* the same does not exceed one dollar and twenty-five cents for every fifty persons by them returned. The several marshals and secretaries shall receive as follows: The marshal of the district of Maine, two hundred and fifty dollars; the marshal of the district of New Hampshire, two hundred and fifty dollars; the marshal of the district of Massachusetts, three hundred dollars; the marshal of the district of Rhode Island, one hundred and fifty dollars; the marshal of the district of Connecticut, two hundred dollars; the marshal of the district of Vermont, two hundred and fifty dollars; the marshal of the district of New York, four hundred dollars; the marshal of the district of New Jersey, two hundred dollars; the marshal of the district of Pennsylvania, four hundred dollars; the marshal of the district of Delaware, one hundred dollars; the marshal of the district of Maryland, three hundred dollars; the marshal of the district of Virginia, five hundred dollars; the marshal of the district of Kentucky, three hundred dollars; the marshal of the district of North Carolina, three hundred and fifty dollars; the marshal of the district of South Carolina, three hundred dollars; the marshal of the district of Columbia, fifty dollars; the marshal for the district of Georgia, three hundred dollars; the marshal of the district of East Tennessee, one hundred and fifty dollars; the marshal of the district of West Tennessee, one hundred and fifty dollars; the marshal of the Ohio district, two hundred dollars; the secretary of the Mississippi territory, two hundred dollars; the secretary of the Indiana territory, one hundred

Compensation to assistants.

Compensation to the marshals and secretaries.

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dollars; the secretary of the Michigan territory, one hundred dollars; the secretary of the Illinois territory, one hundred dollars; the secretary of the territory of Orleans, one hundred and fifty dollars; the secretary of the territory of Louisiana, one hundred dollars.

Every person whose usual place of abode is in any family on the first Monday of Aug. 1810, to be returned as of that family. Inhabitants of a district or territory, without a settled place of residence, to be inserted in the column allotted for the heads of families in that division where they may be on the first Monday of Aug. 1810, &c. Every free person more than 16 years of age, heads of families or not, &c. obliged to render a true account to the assistant of every person belonging to the family, &c. on pain of forfeiting 20 doll. &c. one-half for the assistant, &c.

Every assistant, previous to making his return to the marshal or secretary, to cause a correct copy of the schedule, &c. to be set up at two of the most public places within his division, &c. 2 doll. to the assistant for each copy set up; and forfeiture of compensation if he fails to make proof of the setting up, &c.

The secretary of state required to transmit to the marshals and secretaries instructions, for ms. interrogatories, &c.

In case there should be no secretary in either of the territories, the duties directed to be performed by the secretary may be performed by the governor, who is to receive the same compensation, &c.

SECT. 5. *And be it further enacted*, That every person whose usual place of abode shall be in any family on the aforesaid first Monday of August next, shall be returned as of such family; and the name of every person who shall be an inhabitant of any district or territory, without a settled place of residence, shall be inserted in the column of the schedule which is allotted for the heads of families in that division where he or she shall be on the said first Monday of August next; and every person occasionally absent at the time of enumeration, as belonging to that place in which he or she usually resides in the United States.

SECT. 6. *And be it further enacted*, That each and every free person, more than sixteen years of age, whether heads of families or not, belonging to any family within any division, district, or territory, made or established within the United States, shall be, and hereby is, obliged to render to such assistant of the division, if required, a true account, to the best of his or her knowledge, of all and every person belonging to such family, respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered, in an action of debt, by such assistant; the one-half for his own use, and the other half to the use of the United States.

SECT. 7. *And be it further enacted*, That each and every assistant, previous to making his return to the marshal or secretary, (as the case may be,) shall cause a correct copy, signed by himself, of the schedule containing the number of inhabitants within his division, to be set up at two of the most public places within the same, there to remain for the inspection of all concerned; for each of which copies the said assistant shall be entitled to receive two dollars: *Provided*, proof of the schedule having been so set up, and suffered to remain, shall be transmitted to the marshal or secretary, (as the case may be,) with the return of the number of persons; and in case any assistant shall fail to make such proof to the marshal or secretary, as aforesaid, he shall forfeit the compensation by this act allowed him.

SECT. 8. *And be it further enacted*, That the secretary of state shall be, and hereby is, authorized and required to transmit to the marshals of the several states, and to the secretaries aforesaid, regulations and instructions, pursuant to this act, for carrying the same into effect, and also the forms, contained therein, of the schedule to be returned, and proper interrogatories, to be administered by the several persons to be employed therein.

SECT. 9. *And be it further enacted*, That, in case there shall be no secretary in either of the territories of the United States, the duties directed by this act to be performed by the secretary may be performed by the governor of such territory, who shall receive the same compensation to which the secretary would be entitled for the performance of said duties, and be subject to the same penalties. [Approved, March 26, 1810.]

CHAP. 243. [XXXVI.] An act for altering the time for holding the district court in Ohio.

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SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the sessions of the district court for the district of Ohio, by law appointed to be holden at Chillicothe, in the said district, on the first Mondays in February, June, and October, shall hereafter be holden at Chillicothe, on the second Mondays of September and January, annually.\*

The sessions of the district court of Ohio, &c. to be hereafter holden at Chillicothe on the 2d Mondays of September and January.

[\* See ante, sec. 4, chap. 71.]

SECT. 2. *And be it further enacted,* That all writs, process, and recognisances, which may have been made returnable, and all suits, causes, process, and proceedings, which may have been continued, to the first Monday of June next, shall be, and hereby are, made returnable, and continued over, to the session of said court which shall be holden on the second Monday of September next, and shall be as valid, and proceeded on in the same manner, at said September session of said court, as if such writs, process, recognisances, suits, causes, and proceedings, had been originally made returnable to, and continued to, said September session of said court. [Approved, March 26, 1810.]

Writs, process, suits, &c. returnable and continued to the first Monday of June, 1810, made returnable, and continued over, accordingly.

CHAP. 244. [XXXVII.] An act to prevent the issuing of sealetters, except to certain vessels.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the thirtieth of June next, no sealetter, or other document, certifying or proving any ship or vessel to be the property of a citizen or citizens of the United States, shall be issued, except to ships or vessels duly registered, or enrolled and licensed, as ships or vessels of the United States, or to vessels which, at that time, shall be wholly owned by citizens of the United States, and furnished with, or entitled to, sealetters or other customhouse documents; any law or laws, heretofore passed, to the contrary notwithstanding: *Provided, nevertheless,* That no sealetter shall be issued to any vessel which shall not at this time be furnished or entitled to a sealetter, unless such vessel shall return to some port or place in the United States, or territories thereof, on or before the said thirtieth day of June next: *Provided, nevertheless,* That no sealetter, or other document, certifying or proving any ship or vessel to be the property of a citizen or citizens of the United States, shall be issued to any vessel now abroad, which shall not, at this time, be furnished or entitled to a sealetter, unless such vessel shall arrive at some port or place in the United States, or territories thereof, on or before the said thirtieth day of June next: *And provided,* That nothing herein contained shall be construed to operate against any such vessel or vessels that now are, or may be prior to the said thirtieth of June, detained abroad by the authority of any foreign power. [Approved, March 26, 1810.]

After the 30th of June, 1810, no sealetter, &c. proving any vessel to be the property of a citizen, to be issued, except to vessels registered, &c. as vessels of the United States, or to vessels at that time wholly owned by citizens, &c. *Provided;* no sealetter to be issued to any vessel not at this time furnished or entitled, &c. unless she returns to a port of the United States, &c. on or before the 30th June, 1810.

*Provided;* no sealetter, &c. proving any vessel to be the property of a citizen, &c. to be issued to a vessel now abroad, and not at this time furnished or entitled, &c. unless she arrives at a port of the United States, &c. before the 30th June, 1810. *Provided;* nothing herein contained shall be construed to operate against vessels detained abroad by authority of a foreign power.



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[\* Obsolete.]

Not exceeding \$5,000 dolls. appropriated to defray the expense of actual experiments, to be made under the direction of the secretary of the navy, for ascertaining how far torpedo explosions may be usefully employed as engines of war, &c.

CHAP. 245. [XXXVIII.] An act making an appropriation for the purpose of trying the practical use of the torpedo, or submarine explosion.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That a sum, not exceeding five thousand dollars, be, and the same is hereby, appropriated, payable out of any money in the treasury, not otherwise appropriated, to defray the expense which shall be incurred in any actual experiments, when the president of the United States shall deem it expedient to cause such experiments to be made, which shall be made under the immediate direction of the secretary of the navy, for the purpose of ascertaining with precision how far the torpedo or submarine explosions may be usefully employed as engines of war, who is hereby directed to report to congress the result of the experiment, with his opinion thereon. [Approved, March 30, 1810.]

CHAP. 246. [XXXIX.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

[† Private and obsolete.]

CHAP. 247. [XL.] An act for the relief of Tristram Hussey.†

395 dolls. 40 cents to be refunded to Tristram Hussey, it being the amount of duties paid by him to the collector of New York on 35 casks of spermaceti oil, &c. provided the oil has not been exported with benefit of drawback.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That there be refunded and paid to Tristram Hussey, out of any money in the treasury, not otherwise appropriated, the sum of three hundred and ninety-five dollars and forty cents, it being the amount of duties paid by the said Tristram Hussey, to the collector of New York, on thirty-five casks of spermaceti oil, sent to New York in American vessels from the Cape de Verd islands by the said Tristram Hussey, in the years one thousand eight hundred and one, and one thousand eight hundred and two: *Provided,* That the same has not been exported with benefit of drawback. [Approved, April 11, 1810.]

[‡ Obsolete. See orig. act. of 96th March, 1810; ante, chap. 248.]

CHAP. 248. [XLI.] An act to alter and amend an act, entitled “An act providing for the third census or enumeration of the inhabitants of the United States,”† passed the twenty-sixth day of March, one thousand eight hundred and ten.

The enumeration mentioned in the 1st sec. of the act providing for the third census, &c. to close within five months from the 1st Monday in Aug. 1810, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the enumeration, mentioned in the first section of the act hereby amended, shall close within five months from the first Monday in August next, and the assistants shall make their returns to the marshals and secretaries within the said five months, any thing in the said act to the contrary notwithstanding.

[Approved, April 12, 1810.]

CHAP. 249. [XLII.] An act authorizing the discharge of John Kerr from his imprisonment.\* 1810.

[\* Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the marshal for the district of North Carolina be, and he is hereby, authorized, and directed to discharge John Kerr from his imprisonment, upon an execution issued against him in behalf of the United States: *Provided,* That he shall assign and convey all the estate, real and personal, which he may own or be entitled to, to some person, for the benefit of the United States, under the direction of the secretary of the treasury: *And provided, also,* That any estate, real or personal, which the said John Kerr may hereafter acquire, shall be liable to be taken and sold in the same manner as if he had never been imprisoned and discharged as aforesaid: *Provided, nevertheless,* That if any person entitled to any part of the said judgment, under the laws of the United States, shall object to the discharge of the said John Kerr, he shall be detained in prison at the cost and expense of the person so objecting, who shall pay, weekly, in advance, the amount of the gaol fees and subsistence of the said John Kerr; and in case of failure to make any such payments in advance, the said John Kerr shall be immediately discharged, upon the conditions hereinbefore expressed. [Approved, April 20, 1810.]

The marshal for North Carolina directed to discharge John Kerr from imprisonment, &c.

Proviso: John Kerr to convey his property for the benefit of the United States, &c. Proviso: future estate liable, &c.

Proviso: if any person entitled to a part of the judgment, &c. objects to the discharge, John Kerr may be detained in prison at the cost of the person objecting, who is to pay gaol fees, &c. and in case of failure, &c. John Kerr to be discharged, &c.

CHAP. 250 [XLI.] An act for the relief of William Baynham.†

[† Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury cause to be paid to William Baynham, out of the moneys appropriated for the payment of the interest of the public debt, the interest accrued from the first of October, one thousand eight hundred and nine, to the thirty-first day of December, of the same year, on two certificates of exchanged six per cent. stock, the principal whereof amounted to ten thousand six hundred and thirteen dollars and ninety-seven cents; which certificates, having been erroneously numbered by the late commissioner of loans of Virginia, though advertised for reimbursement, by their real permanent numbers, on the first day of October last, were not, by reason of the error aforesaid, reimbursed until the first day of January.

[Approved, April 20, 1810.]

The secretary of the treasury to cause to be paid to William Baynham, &c. the interest, for the time mentioned, on two certificates of exchanged six per cent. stock, &c. which were erroneously numbered by the late commissioner of loans of Virginia, &c.

CHAP. 251. [XLIV.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 252. [XLV.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

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## CHAP. 253. [XLVI.] An act for the relief of Moses Young.\*

[\* Private and obsolete.]

The accounting officers of the treasury authorized to settle the account of Moses Young, as secretary of legation to Henry Laurens, &c. and allow him \$601. sterling per annum for the time mentioned, &c. deducting money received, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the accounting officers of the treasury be, and they are hereby, authorized to settle the account of Moses Young, as secretary of legation to Henry Laurens, esquire, on his mission to Holland, in the year one thousand seven hundred and eighty; and that they allow him five hundred pounds sterling per annum, from the eighteenth of October, one thousand seven hundred and seventy-nine, the time of his appointment, to the ninth of October, one thousand seven hundred and eighty-two, including the usual allowance of three months for returning to the United States; and after deducting the sum of money received from Dr. Franklin by the petitioner, and by his agent Joseph Nourse, from the treasury, that the balance, with interest thereon, be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, April 25, 1810.]

## CHAP. 254. [XLVII.] An act to allow the benefit of drawback on merchandise transported by land conveyance from Newport to Boston, and from Boston to Newport, in like manner as if the same were transported coastwise.

All goods, &c. imported into Boston or Newport, and transported, by land conveyance, by the route specified, from one place to the other, and thence exported, to be entitled to the benefit of drawback, in the same manner as if transported coastwise, &c.

Provido; all the provisions, &c. in the case of goods, &c. transported by any of the routes mentioned in the 17th sec. of the act referred to, to be duly observed. [†Ch. 128, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* all goods, wares, and merchandise, duly imported into either of the ports of Boston and Newport, which shall be transported, by land conveyance, from the port of Newport, by the way of Rhode Island bridge and Taunton, to Boston, or from Boston, by the same route, to Newport, and which, being imported into Newport, shall be exported from Boston, or which, being imported into Boston, shall be exported from Newport, shall be entitled to the benefit of a drawback of the duties upon exportation, to any foreign port or place, under the same provisions, regulations, restrictions, and limitations, as if the said goods, wares, and merchandise, were transported coastwise from one to another of the said districts; and on the *Provido*, That all the provisions, regulations, limitations, and restrictions, existing in the case of goods, wares, and merchandise, transported by any of the routes mentioned in the seventy-ninth section of the act, entitled "An act to regulate the collection of duties on imports and tonnage,"† passed the second of March, one thousand seven hundred and ninety-nine, shall be duly observed.

[Approved, April 25, 1810.]

## CHAP. 255. [XLVIII.] An act to establish post roads.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the following be established as post roads:

The roads specified established as post roads.

*In the district of Maine.\** From Portsmouth, N. H. by Kittery, York, Wells, Arundell, Biddeford, Saco, Scarboro', Cape Elizabeth, Portland, Falmouth, North Yarmouth, Freeport, Brunswick, Bath, Woolwich, Wiscasset, New Castle, Waldoboro', Warren, Camden, Canaan, Lincolnville, Northport, Belfast, Prospect, Buckstown, Orland, Trenton, Sullivan, Steuben, Harrington, Addison, Jones, Machias, Denneysville, and Scodic, to Calais. 1810.

*In the district of Maine.*  
[\* See, for other post roads established, sec. 2, chap. 663, post also, sec. 3, chap. 751, post.]

From Dover, N. H. by Berwick and Douty's Falls, to Arundel, or Kennebunk.

From Portland, by Gorham, Buckstown, Limerick, Limington, Cornish, Parsonfield, Newfield, Shapleigh, Lebanon, Berwick, Sandford, Alfred, Waterboro', and Philipsburg, to Buxton.

From Portland, by Saccarapsee, Gorham, Standish, Flints-town, Hiram, and Brownfield, to Frybush.

From Portland, by Windham, Raymond, Bridgetown, Lovell, Waterford, Norway, Paris, Buckfield, Sumner, Hartford, Livermore, Turner, Poland, New Gloucester, and Hebron Academy, to Paris.

From Portland, by Falmouth, Gray, New Gloucester, Lewistown, Green, Monmouth, Winthrop, Augusta, Sydney, Waterville, Fairfield, and Canaan, to Norridgewock, and Anson.

From Brunswick, by Topsham, Bowdoinham, Gardiner, and Hallowell, to Augusta.

From Gardiner, by Pittstown and Dresden, to Wiscasset.

From Augusta, by Redfield, Mount Vernon, Chester, and New Sharon, to Farmington.

From Augusta, by Vassalboro', Winslow, Clinton, Fairfax, Unity, and Collegetown, to Hampden.

From Wiscasset, by Edgecomb, to Boothbay.

From Wiscasset, by New Milford, Jefferson, Palermo, and Montville, to Belfast.

From Buckstown, by Frankfort, Hampden, and Bangor, to No. 1, 7th Range, and thence by Orrington, to Buckstown.

From Buckstown, by Penobscot, Castine, Sedgwick, and Blue Hill, to Buckstown, and from Castine to Lincolnville.

From Sullivan to Goldsborough.

From Dennysville to Eastport.

*In New Hampshire.†* From Salisbury, Ms. by Seabrook and Hampton, to Portsmouth.

*In New Hampshire.*  
[† See, for other post roads established, sec. 2, chap. 403, post also, sec. 3, chap. 663, post, and sec. 3, chap. 751, post.]

From Portsmouth, by Durham and Northwood, to Concord.

From Portsmouth, by Exeter and Kingston, to Haverhill, Ms.

From Portsmouth, by Exeter, Chester, Londonderry, Merrimack, Amherst, Petersboro', Marlboro' and Keene, to Walpole.

From Haverhill, Ms. by Chester, Concord, Hopkinton, Heniker and Lempster, to Charleston.

From Haverhill, Ms. by Salem, to Windham.

From Tyngboro', Ms. by Dunstable, Amherst, Francistown, Washington, and Claremont, to Windsor, Vt.

From Portsmouth, by Nottingham, Epsom, Pembroke, Concord, Salisbury, Andover, Wilmot, Enfield, Lebanon, Hanover,

**1810.** Lime, Orford, Piermont, Haverhill, Bath, Littleton, Dalton, Lancaster, Cockburn, Colebrook, and Stuart, to Norfolk, Vt.

From Hanover, by Canaan and Groton, to Plymouth.

From Salisbury, by Andover, New Chester, and Bridgewater, to Plymouth, thence by Holderness, New Hampton, and Sanbornton, to Salisbury.\*

[\*Discontinued.  
See sec. 1, chap.  
493, post.]

From Newburyport, Ms. by Exeter, New Market, Durham, Dover, and Barrington, to Gilmanton.

From Portsmouth, by Dover, Rochester, Middletown, Ossipee, Moultonboro', Centre Harbor, Plymouth, and Haverhill, to Newbury; and from Plymouth, by New Hampton, Meredith, Gilmanton, Nottingham, and Durham, to Portsmouth.

From Fryburg, Me. by Conway, Bartletts, Rosebrooks, and Jefferson, to Lancaster.

From Winchendon, Ms. by Fitzwilliam and Keene, to Brattleboro', Vt.

From Warwick, Ms. by Winchester and Kinsdale, to Brattleboro', Vt.

From Ashby, Ms. by New Ipswich and Jaffray, to Marlboro'.

In Vermont.  
[†See, for other  
post roads estab-  
lished, sec. 2,  
chap. 791, post.]

*In Vermont.*† From Lansingburg, N. Y. by Bennington, Shaftsbury, Arlington, Manchester, Rutland, Pittsford, Brandon, Leicester, Salisbury, Middlebury, New Haven, Vergennes, Ferrisburg, Charlotte, Shelburn, Burlington, Colchester, Milton, Georgia, and St. Alban's, to Highgate.

From Williamstown, Ms. by Pownall, to Bennington.

From Brattleboro', by Marlboro', Wilmington, and Woodford, to Bennington.

From Rutland, by Clarendon, Shrewsbury, Plymouth, Reading, and Windsor, to Cavendish.

From Rutland, by Castleton, Fairhaven, Benson, Orwell, Shoreham, and Addison, to Vergennes.

From Middlebury, by New Haven, Monkton, Hinesburg, Williston, Jericho, Essex, Westford, Fairfax, Fairfield, and Sheldon, to Huntsburg; thence by Berkshire, Enosburg, Bakersfield, Cambridge, Underhill, Richmond, Huntington, Starksboro', and Bristol, to Middlebury, and from thence to Poultney, and also from Middlebury, by Royalton, to Hanover, N. H.

From Barnardstown, Ms. by Hinsdale, Brattleboro', Putney, Westminster, Walpole, Charleston, Wethersfield, Windsor, Hartford, Norwick, Thetford, Fairlee, Bradford, Newbury, Ryegate, Barnet, Littleton, Concord, and Lunenburg, to Guildhall.

From Walpole, N. H. by Bellows Falls, Rockingham, Chester, Cavendish, Ludlow, and Shrewsbury, to Rutland.

From Windsor, by Woodstock, Barnard, Royalton, Randolph, Williamston, Berlin, Montpelier, Middlesex, Waterbury, Bolton, Jericho, and Williston, to Burlington, and from thence to Grand Isle.

From Royalton, by Tunbridge, Vershire, and Corinth, to Newbury.

From Newbury, by Corinth, Washington and Barre, to Berlin.

From Ryegate, by Peacham, Danville, Wheelock, Sheffield, Glover, Barton, Brownington, and Salem, to Derby.

**From Lancaster, N. H. by Lunenburg, St. Johnsbury, Danville, Walden, Harwich, Woolcott, Hydespark, Johnaton, and Fletcher, to St. Albans.** 1810.

*In Massachusetts.\** From Suffield, Ct. by Springfield, Wilbraham, Palmer, Western, Brookfield, Spencer, Leicester, Worcester, Shrewsbury, Northboro', Marlboro', Sudbury, Watertown, Cambridge, Boston, Charlestown, Malden, Lynn, Salem, Beverly, Wenham, Hamilton, Ipswich, Rowley, and Newburyport, to Salisbury.

In Massachusetts;  
[\* See, for other  
post roads estab-  
lished, sec. 2,  
ch. 403, post: al-  
so, sec. 2, chap.  
463, post: and  
sec. 2, chap. 751,  
post.]

From Suffield, Ct. by Westfield, Southampton, Northampton, Hatfield, Whately, Deerfield, and Greenfield, to Bernardstown.

From Salisbury, Ct. by Sheffield, Great Barrington, Stockbridge, Lenox, Pittsfield, Lanesboro', and Williamston, to Greenfield.

From Canaan, Ct. by Sheffield, to Egremont.

From Colebrook, Ct. by Southfield, Sandisfield, Lee, Lenox, and Hancock, to New Lebanon, N. Y.

From Springfield, by Stockbridge and West Stockbridge, to Albany, N. Y.

From Granby, by Granville, Blandford, and Chester, to Middlefield.

From Brookfield, by Ware, Belchertown, Hadley, Northampton, Chesterfield, Worthington, Partridgefield, Dalton, Pittsfield, and Hancock, to New Lebanon.

From Stafford, Ct. to Brookfield or Worcester, and thence, by Framingham, to Boston.

From Worcester, by Holden, Rutland, Barre, and Petersham, to Athol.

From Rutland, by Hubbardstown, and Templeton, to Winchendon.

From Rutland, by Greenwich, Hardwich, Pelham, Amherst, and Hadley, to Northampton, and thence, by South Hadley, to Springfield.

From Boston, by Dedham, Walpole, Foxborough, and Attleborough, to Providence, R. I.

From Boston, by the Newburyport turnpike, to Newburyport.

From Dedham, by Medfield, Medway, Billingham, Milford, Mendon, Uxbridge, and Douglass, to Thompson, Ct.

From Boston, by Milton, Canton, Easton, Taunton, Berkley, and Freetown, to New Bedford.

From Boston, by Dorchester, Quincy, Braintree, Weymouth, Hanover, Pembroke, Kingston, Plymouth, Sandwich, Barnstable, Yarmouth, Dennis, Brewster, Harwich, Chatham, Orleans, Eastham, Wellfleet, and Truro, to Provincetown.

From Sandwich, by Falmouth, to Nantucket.

From Falmouth to Edgarton.

From Sandwich, by Wareham, Rochester, New Bedford, and Dartmouth, to Westport.

From Weymouth, by Hingham, Cohasset, Scituate, Marshfield, and Duxbury, to Kingston.

From Weymouth, by Abington, Bridgewater, Raynham, Taunton, Dighton, Somerset, and Swanzey, to Warren, R. I.

1840.

From Boston, by Concord, Stow, Bolton, Lancaster, Leominster, Westminster, Templeton, Gerry, Athol, and Orange, to Warwick.

From Concord, by Littleton, Groton, and Townsend, to Ashby.

From Concord, by Fitzwilliam, N. H. to Brattleborough, Vt.

From Boston, by Medford, Woburn, Billerica, and Chelmsford, to Tyngsboro'.

From Woburn, by Andover, to Haverhill.

From Billerica, by Patucket Bridge, Dracut, Pelham, N. H. and Windham, to Londonderry.

From Salem to Marblehead.

From Salem, by Manchester, to Gloucester.

From Salem, by Danvers, Topsfield, Boxford, and Bradford, to Haverhill.

From Newburyport to Haverhill.

From Troy, by Freetown, Berkley, to Taunton.

From Plymouth, by Taunton, to Providence, R. I.

From Framington, by Southborough, Westborough, Grafton, Sutton, Oxford, Dudley, and Woodstock, to Ashford, in Connecticut.

*In Rhode Island.*  
[\* See, for other  
post roads esta-  
blished, sec. 2,  
chap. 403, post.]

*In Rhode Island.\** From Plainfield, Ct. by Scituate, and Providence, to Smithfield.

From Providence, by Barrington, Warren, and Bristol, to Newport.

From Providence, by Patuxet, East Greenwich, Wickford, and Little Rest, to Towerhill, or South Kingston.

From Newport, by Tiverton, to Westport, Ms.

From Newport, by Towerhill, and by the Courthouse in South Kingston, Charleston, and Westerly, to Stonington, Ct.

From Newport, by Tiverton, to Troy, Ms.

From South Kingston, by Richmond, Hopkinton, North Stonington, and Preston, to Norwich, Ct.

*In Connecticut.*  
[† See, for other  
post roads esta-  
blished, sec. 2,  
chap. 403, post;  
also, sec. 2, chap.  
663, post; and  
sec. 2, chap. 751,  
post.]

*In Connecticut.†* From Rye, N. Y. by Greenwich, Stamford, Norwalk, Fairfield, Bridgeport, Stratford, Milford, Newhaven, Northhaven, Wallingford, Berlin, Wethersfield, Hartford, and Windsor, to Suffield.

From Norwalk, by Reading, Danbury, Brookfield, New Milford, Washington, Litchfield, Harwinton, Burlington, Farmington, Hartford, East Hartford, Ashford, and Pomfret, to Thompson.

From New Milford, by Kent, and Sharon, to Salisbury.

From Bridgeport, by Trumbull, Ripton, Huntington, and Newtown, to Brookfield.

From Newhaven, by Derby, Southbury, Woodbury, Bethlehem, Litchfield, and Goshen, to Canaan.

From Newhaven, by Woodbridge, Waterbury, Watertown, Litchfield, Cornwall, and Sharon, to Poughkeepsie, N. Y.

From Newhaven, by Cheshire, and Southington, to Farmington.

From Newhaven, by Durham, and Middletown, to Wethersfield.

From Newhaven, by Branford, Guilford, Killingworth, Saybrook, Lyme, New London, Chelsea, and Jewitt's city, to Plainfield.

From Saybrook, by Petty Paug, Haddam, East Haddam, and Middle Haddam, to Middletown.

From Stonington, by New London, Montville, Colchester, 1810.  
Glastenbury, Hartford, Wintonbury, Canton, New Hartford,  
Winchester, and Norfolk, to Canaan.

From Norwich, by Canterbury, and Brooklyn, to Pomfret.

From Hartford, by Simsbury, to Granby.

From New Hartford, by Hartland, to Colebrook.

From Hartford, by East Hartford, Oxford, Hebron, Lebanon,  
and Norwich, to Chelsea.

From Hartford, by Coventry, Windham, and Canterbury, to  
Plainfield.

From Hartford, by Tolland, to Stafford.

From East Hartford, by East Windsor, to Springfield, Ms.

From Danbury to Ridgefield.

*In New York.\** From Jersey city, by New York, Harlaem,  
and New Rochelle, to Rye.

From New York city, by Brooklyn, Jamaica, Hempstead,  
Merrick, South Oyster Bay, South Huntington, Islip, Patchogue,  
Fireplace, Morriches, Westhampton, Southampton, and Bridge-  
hampton, to Sag Harbor.

From Jamaica, by Queen's C. H. Oyster Bay, Huntington,  
Dixhills, Smithtown, Setauket, Brookhaven, and Riverhead, to  
Southold.

From New York, by Kingsbridge, Yonkers, Greensburg,  
Mount Pleasant, Peekskill, Fishkill, Poughkeepsie, Staatsburg,  
Rhinebeck, Redhook, Clermont, Hudson, Kinderhook, Albany,  
Schenectady, Amsterdam, Tripshill, Palatine, Little Falls, Her-  
kimer, Utica, New Hartford, Westmoreland, Oneida, Sullivan,  
Canaseraga, Manlius, Onondaga, Marcellus, Skeneatales, Aureli-  
us, Cayuga, Geneva, Canandaigua, Bloomfield, Avon, Southamp-  
ton, Batavia, New Amsterdam, and Lewistown, to Youngstown  
or Niagara.

From New Rochelle, by Whiteplains, Salem, Ridgefield, Ct.  
South East, Patterson, and Pauling, to Dover.

From Ramapo Works to Newburg.

From New Antrim, by Monroe, Chester, Goshen, Wallkill,  
Montgomery, Shawangunk, New Paltz, Kingston, Songaerties,  
Catskill, Lunenburg, Coxsackie, Coyemans, Bethlehem, Albany,  
Troy, Lansinburg, Waterford, Stillwater, Saratoga, Northum-  
berland, Fort Miller, Sandy Hill, Queensbury, Fort George,  
Thurman, Chester, Scaroon lake, Elizabeth, Willsboro', Peru,  
and Plattsburg, to Champlain town.

From Hamburg, N. J. by Warwick, Florida, Goshen, Little  
Britain, New Windsor, Newburg, and Fishkill landing, to Fishkill.

From Danbury, Ct. by Fishkill landing and Newburg, to Che-  
nango Point.

From Rhinebeck, by Kingston, Shandecin, Middletown, Del-  
hi, Walton, Sidney, Jericho Bridge, Onoquago, Binghampton,  
Union, Owego, Athens, Pa. Chemung, Elmira, Great Flat,  
Painted Post, Bath, Canesteeo, Ark Port, Danville, Williams-  
burg, and Geneseo, to Avon.

From Delhi to Meredith.

From Wellsboro', Pa. by Lindleystown, to Painted Post.

*In New York.*  
[\* See, for other  
post roads esta-  
blished, sec. 2,  
chap. 403, post:  
also, sec. 2, chap.  
463, post: and  
sec. 2, chap. 751,  
post.]



**1810.** **From Hudson, by Lunenburg, Catskill, Cairo, Durham, Broome, Blenheim, Stamford, Harpersfield, Kortwright, Meredith, Franklin, Unadilla, and Clinton, to Jericho Bridge.**

**From Erie, Pa. by Casceda, Cataraugus, and Fish creek, to New Amsterdam.**

**From Bath, by Roscommon and Jerusalem, to Geneva.**

**From Elmira, by Catherinestown, Hector, Ovid, Lancaster, and Romulus, to Geneva.**

**From Owego, by Cantines, Ithica, Salmon creek, Milton, Aurora, Cayuga, and Galen, to Great Sodus.**

**From Ithica, by Ulysses, to Ovid.**

**From Binghampton, by Green or Lisle, Oxford, Norwich, Hamilton, Paris, and New Hartford, to Utica.**

**From Oxford, by Unadilla, Otego, Milford, Hartwick, Otsego village, and Bridgewater, to Utica.**

**From Albany, by Duanesburg, Dwidlock, Cherry valley, Otsego village, Burlington, Columbus, Sherburne, Deruyter, Truxton, and Homer, to Aurora.**

**From Burlington, by New Berlin, Plymouth, Cincinnati, and Homer, to Ithica.**

**From Otsego village, by New Lisbon, Pittsfield, and Butternuts, to Oxford.**

**From Cherry valley, by Springfield, Richfield, Plainfield, and Bridgewater, to Sangerfield.**

**From Onondaga, by Salina, Liverpool, Three Rivers Point, and Oswego falls, to Oswego.**

**From Vernon, by Smithfield, and Cazenovia, to Pompey.**

**From Utica, by Whitestown, Rome, Camden, Adams, and Sackett's Harbor, to Brownsville.**

**From Utica, by Trenton, Steuben, Leyden, Turin, Lowville, Harrisburg, Oxbow, Dekalb, Canton, Ogdensburg, Lisbon, Hamilton, Madrid, Potsdam, Chesterfield, Malone, and Chetauga, to Plattsburg.**

**From Harrisburg, by Champion, Watertown, and Brownsville, to Port Putnam.**

**From Little Falls, by Fairfield, Newport, and Russia, to Bemsen.**

**From Peramus, by Tappan, Clarkstown, and Kakiat, to Haverstraw.**

**From Schenectady, by Ballstown, Ballstown springs, Saratoga springs, Greenfield and Hadley, to Broadalbin.**

**From Caughnawage, by Johnson, and Mayfield, to Northampton.**

**From Lansinburg, by Schaghticoke, Easton, Greenwich, Argyle, Hartford, and Whitehall, to Fairhaven, Vt.**

**From Sandyhill, by Fort Ann, to Whitehall.**

**From Lansinburg, by Cambridge, Salem, Hebron, Granville, and Hampton, to Poultney, Vt.**

**From Willaboro<sup>2</sup> to Charlotte, Vt.**

**From Albany to New Lebanon.**

**From Hudson, by Claverac, to Egremont, Ms.**

*In New Jersey.\** From Morrisville, Pa. by Trenton, Princeton, New Brunswick, Rahway, Elizabethtown, and Newark, to Jersey city. 1810.

From Philadelphia, Pa. by Cooperstown, Gloucester, Woodbury, Sweedaboro', and Woodstown, to Salem.

From Cooperstown, by Long Coming, Blue Anchor, River-ridge, and Somer's Point, to Absecon.

From Cooperstown, by Haddonfield, Taunton, and Atsion, to Luckertown.

From Trenton, by Bordenton, Mount Holley, Black Horse, New Egypt, New Mills, Mount Holy, Morestown, Haddonfield, Cooperstown, Gloucester, Woodbury, Mullicohill, Poletavern, Deerfield, Bridgetown, Millville, Port Elizabeth, Dennis, and Cape May C. H. to Cape Island.

From Trenton, by Pennington, Flemington, Alexandria, Belvidere, Hope, Johnsonburg, and Newtown, to Hamburg.

From Trenton, by Allentown, Cranberry, Monmouth, Shrewsbury, Middletown Point, Spotswood, New Brunswick, Somerville, Pluckemin, New Germantown, New Hampton, Asbury, and Pittston, to Alexandria.

From New Hope, Pa. by Somerville, Boundbrook, Newmarket, Plainfield, Scotch Plains, and Springfield, to Newark.

From Easton, Pa. by Belvidere and Knowlton Mills, to Detoltsburg, Pa.

From Scotch Plains to New Providence.

From Rahway,† by Woodbridge, to Amboy.

From Newark, by Chatham, Morristown, Bockaway, and Sparta, to Newtown, thence by Hacketstown, Washington Valley, Chester, and Mendon, to Morristown.

From Morristown, by Baskenridge,‡ to Somerville.

From Jersey city, by Bergen, Hackensack, and Paramus, to New Antrim.

From Bristol, Pa. to Burlington.

From Bridgetown to Cedarville.

*In Pennsylvania.* From Wilmington, D. by Chester, Darby, Philadelphia, Frankfort, and Bristol, to Morrisville.

From Philadelphia, by Downingtown, Lancaster, Elizabethtown, Middletown, Harrisburg, Carlisle, Shippensburg, Chambersburg, McConne's town, Bedford, Somerset, Greensburg, Pittsburg, Cannonsburg, and Washington, to West Middletown.

From Taneytown, Md. by Petersburg, Hanover, York, and Columbia, to Lancaster.

From Brick Meetinghouse, Md. by the Rising Sun, Unicorn, Black Horse, Sorrel Horse, Lancaster, Leditz, Ephrata, Beemstown, Adamstown, Reading, Cootstown, Allentown, Bethlehem, Easton, Stroudsburg, and Middletown, to Milford, and thence to Pittston.

From Brick Meetinghouse, Md. by New London, Chatham, Kennett's square, Marshaltown, and Westchester, to Downingtown.

From Wilmington, D. by New Garden, Chatham, Gap, and Strasburg, to Lancaster.

*In New Jersey.*  
[\* See, for other post roads established, sec. 2, chap. 403, post; also, sec. 2, chap. 663, post; and sec. 2, chap. 751, post.]

[† See sec. 1, ch. 403, post.]

[‡ See sec. 1, ch. 403, post.]

*In Pennsylvania.*  
[§ See, for other post roads established, sec. 2, chap. 403, post; also, sec. 2, chap. 663, post; and sec. 2, chap. 751, post.]

1810.

in Pennsylvania.

From Lancaster, by New Holland, Churchtown, ~~Morgantown~~, Pughtown, Pawlingsford, Norristown, Montgomery, ~~Douglas~~town, New Hope, Newtown, and Attleborough, to Bristol.

From Philadelphia, by Jenkintown, Doylestown, Plumstead, Bursontown, Easton, Hellers, Woods, Wilkesbarre, Pittston, Putnam, Braintrem, Wyalusing, Standing Stone, Wysox, and Sheshequin, to Athens.

From Pittston, by Providence, and Willingboro', to Binghamton, New York.

From Plumstead, by Erwinna, to Alexandria, N. J.

From Jenkintown to New Hope.

From Philadelphia, by Germantown, Chesnut Hill, White-marsh, Montgomery Square, Quakertown, Bethlehem, Kreidersville, Lausanne, and Nescopeck, to Berwick.

From Bethlehem to Nazareth.

From Philadelphia, by Germantown, Springtown, Norristown, Trap, Reading, Hamburg, Sunbury, Northumberland, Milton, Muncey, and Williamsport, to Wellsborough.

From Milton, by Washington, and Jerseytown, to Froetsville.

From Harrisburg, by Halifax, Sunbury, Northumberland, Lewisburg, Mifflinburg, and Aaronsburg, to Bellefonte, Millsburg, Clearfield, and Venango, to Mercer.

From Harrisburg, by Palmyra, Lebanon, and Womelsdorf, to Reading.

From Lebanon to Jonestown.

From Harrisburg, by Clark's Ferry, Millerstown, Thompson-ton, Mifflintown, Lewistown, M'Vaytown, Huntingdon, Alexandria, Hollidaysburg, Beaula, Armah, Indiana, through Alexandria, to Greensburg.

From Mifflintown, by Waterford, Concord, to Fannetsburg.

From Manchester, Md. by Hanover, Abbotstown, Berlin, and Sulphur Springs, to Carlisle.

From Union, Md. by Petersburg, and Gettisbury, to Chambersburg.

From Emittsburg, Md. by Gettisbury, Carlisle, Gap, Millers-town, Selin's Grove, Northumberland, Danville, Bloomsburg, Berwick, Salem, and Hanover, to Wilkesbarre.

From Carlisle, by Waggoners' Gap, Landisburg, Hacketts, Shower's Mill, and Zimmermans, to Douglass' Mill.

From Hagerstown, Md. by Greencastle, Chambersburg, Strasburg, Fannetsburg, Bedford furnace, Shirleys, Huntingdon, Centre furnace, Belfont, Jersey shore, to Williamsport.

From Belfont to Lewistown.

From Gettisbury, by Fairfield, and Greencastle, to Messersburg.

From Cumberland, Md. by Salisbury, and Berlin, to Somerset.

From Somerset, by Connelssville, Union, and New Geneva, to Morgantown, Va.

From Somerset, by Staystown, to Ebensburg.

From Greensburg, by New Alexandria, to Kittaning.

From Greensburg, by Mount Pleasant, Robbstown, Parkinson's ferry, and Washington, to Burgettstown.

From Union, by Brownsville, Washington, Waynesborough, 1810.  
and Jeffersonville, to Union.

From Pittsburg, by Butler, Mercer, Franklin, Meadsville,  
Crawford, and Le Beuf, to Erie.

From Erie to Litchfield, O.

From Pittsburg, by Beavertown, to Greensburg.

From Beavertown to Georgetown.

From Baltimore, Md. to York.

*In Michigan.* From Fort Miami, by Frenchtown, to Detroit. *In Michigan.*

*In Ohio.\** From Point Pleasant, Va. by Gallipolis,† Sciota *In Ohio.*  
Salt Works, Chillicothe, Franklinton, Worthington, Delaware, *[\* See, for other*  
Mount Vernon, Mansfield, Ripley, and Bronson, to Huron. *post roads esta-*  
*blished, sec. 2,*

From Marietta, by Belpre, to Wood C. H.

From Marietta, by Athens, Chillicothe, New Market, Williams- *chap. 603, post;*  
burg, Milford, Columbia, Cincinnati, to Northbend. *also, sec. 2, chap.*  
*603, post; and sec.*

From Wheeling, Va. by St. Clairsville, Morristown, Frank- *2, ch. 751, post.]*  
ford, Cambridge, Zanesville, Springfield, New Lancaster, Chili- *[† See, sec. 1,*  
cothe, and Brown's Cross Roads, to Mayaville, K. *chap. 603, post.]*

From Cincinnati, by Crossby, Hamilton, Franklin, Dayton, *[1 See sec. 1,*  
Staunton, Troy,‡ Pique Town, Springfield,§ Ludlow, Xenia, *chap. 603, post.]*  
Waynesville, Lebanon, and Montgomery, to Cincinnati. *[2 See sec. 1,*  
*chap. 603, post.]*

From Chillicothe, by Pepee, to Alexandria.

From Zanesville, by Gnadenhutten, and New Philadelphia,  
to Canton.

From Marietta, by Waterford, Zanesville, Newark, Green-  
ville, Worthington, to Urbana.

From Troy to Greenville.

From Brook C. H. Va. to Steubenville, and Faucettstown, to  
New Lisbon. *[1 Discontinued.*  
*See sec. 1, chap.*

From Greensburg or Beavertown, Pa. by New Lisbon, Deer- *604, post.]*  
field, Ravenna, Hudson, Cleveland, Huron, Perkins, Patterson,  
and Sandusky, to Fort Miami.

From Greensburg, Pa. by Poland, Youngstown, and Warren,  
to Jefferson, and return by Williamsfield, Smithfield, and Brook-  
field, to Warren.

From Litchfield, by Ralphville, Jefferson, and Austinville, to  
Cleveland.

From Youngstown to Canfield.

*In Indiana.¶* From Louisville, K. by Jeffersonville, Clarks- *In Indiana.*  
ville, Corydon, and Vincennes,\*\* to the United States' Saline. *[See, for other*  
*post roads esta-*

From Northbend, O. by Laurenceburg, to Port William, K.

*In Illinois:††* From Vincennes, In. T. by Kaskaskia, Prairies *blished, sec. 2,*  
du Rochers, and Cohakia, to St. Louis. *chap. 603, post.*  
*sec. 2, chap. 603,*

From Smithland, K. by Fort Massack, and Tywappety, to *post.]*  
Cape Girardeau, L. T. *[\*\* Discontin-*  
*ed. See sec. 1,*

*In Louisiana.* From St. Genevieve, by Mine au Burton, and *chap. 603, post.]*  
St. Louis, to St. Charles. *[†† See, for other*  
*post roads esta-*

From Kaskaskia, I. T. by Genevieve, and Cape Girardeau,  
to New Madrid. *blished, sec. 2,*  
*chap. 603, post;*

*In Delaware.‡‡* From Elkton, Md. by Christiana, and New- *In Delaware.*  
port, to Wilmington. *[§§ See, for other*  
*post roads esta-*

From Wilmington, by New Castle, St. Georges, Cantwell's *blished, sec. 2,*  
*chap. 603, post.]*

**1810.** Bridge, Smyrna, Dover, Camden, Frederica, Milford, Georgetown, and Dagsborough, to Poplartown, Md.

From Cantwell's Bridge, by Middletown, to Warwick, Md.

From Frederica to Whiteleysburg.

From Salisbury, Md. by Laurel, Concord, and Georgetown, to Lewistown.

From New Market, Md. by North West Fork Bridge, and Bridge Branch, to Georgetown.

*In Maryland.*  
[\* See, for other  
post roads estab-  
lished, sec. 2,  
chap. 403, post;  
also, sec. 3, chap.  
663, post; and  
sec. 3, chap. 731,  
post.]

*In Maryland.\** From Washington city, by Bladensburg, Baltimore, Harford, Havre de Grace, and North East, to Elkton.

From Washington city, by Upper Marlboro', Queen Ann, Annapolis, Haddaways, St. Michaels, Easton, Cambridge, Vienna, Salisbury, Snowhill, Princess Ann, White Haven, and

Quantico, to Vienna.

From Poplartown, by Snowhill, to Horntown.

From Salisbury to Quantico.

From Cambridge to New Market.

From Easton, by Centerville, Churchill, Chestertown, Georgetown Cross Roads, and Sassafras, to Warwick.

From Georgetown Cross Roads, by the head of Chester, Sudler's Cross Roads, Beaver Dam, and Nine Bridges, to Greensborough.

From Easton, by Hillsborough, Denton, and Greensborough, to Whiteleysburg, D.

From Elkton to Brick Meetinghouse.

From Harford to Belle Air.

From Baltimore to Annapolis.

From Baltimore, by Rockall, to Chestertown.

From Baltimore, by Reisterstown, to Manchester.

From Reisterstown, by Westminster, to Union Mills.

From Baltimore, by Ellicott's Lower Mills, Poplartown, New Market, Fredericktown, and Newtown, to Harper's Ferry.

From Baltimore, by Queenstown, to Centreville.

From Washington city, by Georgetown, Montgomery C. H. Clarksburg, Fredericktown, Middletown, Hagerstown, Hancock, Berkeley Springs, Oldtown, to Cumberland, and thence, by the national road, to Union, Pa.

From Washington city, by Brookville, and Triadelphia, to Ellicott's mills.

From Fredericktown to Liberty.

From Fredericktown, by Woodsborough, to Taneytown.

From Fredericktown, by Creagerstown, to Emmetsburg.

From Shepherdstown, Va. by Sharpsburg, and Williamsport, to Hagerstown.

From Upper Marlborough, by Nottingham, Aquasco, Benedict, and Charlotte Hall, to Chaptico.

[† *Discontinued.*  
See sec. 1, chap.  
663, post.]

From Queen Ann, by Pig Point,† Tracey's Landing, Lower Marlborough, Huntington, and Calvert C. H. to St. Leonards.

From Washington city, by Piscataway, Port Tobacco, Allensfresh, Newport, Chaptico, Leonardtown, Great Mill, and St. Inigoes, to Ridge.

From Port Tobacco, by Tophill, to Nanjemoy.

**From Leesburg, Va. by Charlesburg, to Montgomery C. H.** 1810.

**From Fredericktown to Leesburg.**

**From Newtown Trap, by Berlin, Thrasher's Store, and Hamilton's Mill, to Waterford, in Va.**

*In Virginia.\** **From Washington city, by Alexandria, Dumfries, Stafford C. H. Falmouth, Fredericksburg, Bowling Green, White Chimneys, Hanover C. H. Richmond, Petersburg, Harris's and Brunswick, to Warrenton, N. C.**

In Virginia,  
[\* See, for other  
post roads established, &c. 2,  
chap. 403, post;  
also, sec. 2, chap.  
663, post; and  
sec. 2, chap. 751,  
post.]

**From Washington city, by Prospect, Lanesville, Leesburg, Waterford, Hillsborough, Charlestown, Shepherdstown, and Martinsburg, to Berkeley Springs.**

**From Waterford, by Braden's Store, Janneys, and Snicker's Gap, to Upperville.**

**From Washington city, by Fairfax C. H. Goshen, Middleburg, Paris, Winchester, Romney, Westernport, Md. Gandysville, Clarksburg, and Marshes, to Marietta, O.**

**From Gandysville to Morgantown.**

**From Clarksburg to Beverly.†**

[† See sec. 1,  
chap. 403, post.]  
[‡ See sec. 1,  
chap. 663, post.]

**From Pendleton C. H. by Moorfield, Romney, Springfield,‡ and Frankfort, to Cresapsburg, Md.**

**From Williamsport, Md. by Martinsburg, Winchester, Stevensburg, Newtown, Strasburg, Woodstock, New Market, and Harrisonburg, to Staunton.**

**From Harper's Ferry, by Charlestown, and Battletown, to Winchester.**

**From Fairfax C. H. by Centerville, Haymarket, Warrenton, Madison C. H. Stanardsville, Staunton, Middlebrook, Brownsburg, Lexington, Natural Bridge, Pattonsburg, Fincastle, Amsterdam, Salem, Airmount, Christiansburg, and Evansham, to Abingdon.**

**From Alexandria to Fairfax C. H.**

**From New York to Lovingson, in Nelson county.**

**From Colchester to Occoquan.**

**From Fredericksburg, by Elk Run Church, and Warrenton, to Gibsons, and Oak Hill.**

**From Fredericksburg, by Germana, Stevensburg, Culpepper C. H. Jeffersonston, Washington, and Front Royal, to Winchester.**

**From Culpepper C. H. by Woodville, F. T. Village, Pass Mills, Thornton's Gap, Mundell's Store, and Hawksbill Mills, to New Market.**

**From Fredericksburg, by Orange C. H. Gordons, Milton, Charlottesville, New Glasgow, to Lynchburg.**

**From Lovingson, by Warren, to Warminster.**

**From Fredericksburg, by Thornsburg, Chilesburg, Oxford, Créwsville, and Price's Mills, to Goochland C. H.**

**From Fredericksburg, by Spottsylvania C. H. Lewis's, Potties, Bibb's Store, Louisa C. H. Yanceyville, and Mitchell's Store, to Goochland C. H.**

**From Fredericksburg, by King George C. H. Broadfield, Mattoxbridge, Leedstown, Templeman's Cross Roads, Richmond C. H. Mount Airy, Farnham, Kinsale, Northumberland C. H. and Lancaster C. H. to Kilmarnock.**

1810.

From Fredericksburg, by Port Royal, Laytons, Tappahannock, Urbanna, and Gloucester C. H. to Yorktown.

From Bowling Green, by Broadus's Mills, Dunkirk, Walkerton, King and Queen C. H. and Gloucester C. H. to Matthews C. H.

From Dunkirk, by Aylett's Warehouse, King William C. H. to Lilly Point.

From Richmond, by Goochland C. H. Columbia, Milton, Charlottesville, New York, Waynesburg, Staunton, Warm Springs, Callaghans or Browns, Sulphur Springs, Lewisburg, Kenhawa C. H. and Hudsons, to Point Pleasant.

From Hudsons, by Wards and Jourdans, to Catlettsburg, at the mouth of Big Sandy.

From Callaghans, by Sweet Springs, and Union, to Giles C. H.

From Evansham, by Jeffersonville, and Franklin, to Jonesville.

From Evansham, by Austinville, to Greenville.

From Richmond, by Powhatan C. H. Cumberland C. H. Floods, Lynchburg, Beaufords, Hourytown, and Fincastle, to Sweet Springs.

From Liberty, by Brown's Store, Rocky Mount, Henry Court House, to Patrick Court House.

From Powhatan C. H. by Cartersville, New Canton, Buckingham C. H. and Bent Creek, to Lynchburg.

From Powhatan C. H. by Farmville, Prince Edward C. H. Charlotte C. H. Marysville, Halifax C. H. Peytonsburg, and Pittsylvania C. H. to Henry C. H. and from Peytonsburg to Danville.\*

\* Discontinued.  
See sec. 1, chap.  
403, post.]

From Prince Edward C. H. by Kelso's Store, to Hunters.

From Pittsylvania C. H. by Danville, to Caswell C. H. in N. C.

From Lynchburg, by Bethel, Pedlar Mills, and Wincanton, to Lexington.

From Lynchburg, by Campbell C. H. Ward's Ferry, on Staunton river, and Stone's store, to Pittsylvania C. H.

From Richmond, by Chesterfield C. H. Spring Hill, Colesville, Jenitoe Bridge, Cassel's Store, Amelia C. H. Painesville, and Jamestown, to Farmville.

From Charlotte C. H. by Rough Creek Church and Reed's Store, on Fallen river, to Campbell C. H.

From Richmond, by Hanover town, Dunkirk, and Tappahannock, to Richmond C. H.

From Richmond, by Frazers, New Kent C. H. Williamsburg, Yorktown, Hampton, Norfolk, and Great Bridge, to Northwest River Bridge.

From Richmond, by Granville, to Charles City C. H.

From Petersburg, by Dinwiddie C. H. Nottaway C. H. Hendersonville, Hungrytown, Double Bridge, Haleys, Willies, Bibb's Ferry, and Scottsburg, to Halifax C. H.

From Petersburg, by Prince George, Cabin Point, Surrey C. H. Smithfield, Everitt's Bridge, Suffolk, and Portsmouth, to Norfolk.

The mail may be sent from Smithfield, by Sleepy Hole Ferry, and thence to Suffolk, when the road and ferry are in convenient repair.

From Petersburg to City Point.

From Petersburg, by Sussex C. H. Jerusalem, and South Quay, to Murfreesboro', N. C.

From Hicks's Ford, by Smith's Store, to Murfreesboro'.

From Harrisville, by Field's Mill, Quarlesville, M'Farlands, Lunenburg C. H. Christiansville, Marshalsville, Mecklenburg C. H.\* St. Tammany's, and Gee's Bridge, to Harrisville.

[\* See sec. 1, chap. 663, post.]

From Percivalls, by Westward Mill, Mason's, Belfield, and Hicks's ford, to Halifax, N. C.

From Hicks's ford, by Cross Keys, Bethlehem, and Jerusalem, to Suffolk.

From Billips's to Hicks's ford.

From West Middletown, Pa. by Brook C. H. and Short Creek, to Wheeling.

From Horatown, by Accomac C. H. and Northampton C. H. to Norfolk.

From West Liberty, by Short Creek, to Warrenton, Ohio.

In Kentucky.† From Maysville, by Washington, Millersburg, Paris, Lexington, Frankfort, Springfield, Greensburg, Glasgow, and Bowling Green, to Russelsville.

In Kentucky. [† See, for other post roads established, sec. 2, chap. 463, post; also, sec. 2, chap. 663, post; and sec. 2, chap. 751, post.]

From Catlettsburg, by Greenup C. H. Johnson's Mills, Vanceburg, Salt Works, Lewis C. H. and Flemingsburg, to Millersburg, thence, by Mount Sterling and the Olympian Springs, to Catlettsburg.‡

[‡ Discontinued. See sec. 1, chap. 663, post.]

From Cumberland Gap, by Barboursville, Road Forks, Crab Orchard, Stanford, Danville, Harrodsburg, Frankfort, and New Castle, to Port William.

From Roadforks to Clay C. H.

From Washington, by Augusta, and Newport, to Boon C. H.

From Lexington, by Nicholasville, Richmond, and Lancaster, to Danville.

From Frankfort, by Georgetown, Cynthiaia,§ Falmouth, and Newport, to Cincinnati, Ohio.

[§ See sec. 1, chap. 751, post.]

From Frankfort, by Shelbyville, Louisville, Shepperdsville, Bairdstown, Springfield, and Danville, to Casey C. H.

From Frankfort, by Middletown, Bairdstown, Bealsburg, Elizabethtown, Grangerville, Hardenburg, Hartford, and Muhlenburg C. H. to Russelsville.

From Hardenburg, by Yellow Banks, Hendersonton, United States' Saline, In. T. to Shawnee Town, Il. T. and to Livingston C. H.

From Russelsville, by Christian C. H. Eddyville, and Livingston C. H. to Smithland.

From Stanford, by Pulaski C. H. Wayne C. H. Cumberland, and Adair, to Greensburg.

From Lexington, by Winchester, and Mount Sterling, to Estill C. H.

From Muhlenburg C. H. Hopkins C. H. by Harpsburg, to Henderson.

In North Carolina.¶ From Warrenton, by Louisburg, Raleigh, Averagesboro', Fayetteville, Lumberton, and Nolands, to Barefields, South Carolina.

In North Carolina. [¶ See, for other post roads established, sec. 2, chap. 463, post; also, sec. 2, chap. 663, post; and



1810.

From Suffolk, Va. by Gates C. H. Edenton,\*| Lee's Mills  
 Plymouth, Washington, Newbern, Swansboro', and Wilmington  
 to Smithville.

[\* Discontinued.  
 See sec. 1, chap.  
 663, post.]

From Henry C. H. Va. to Germanton.

From Greenville, Va. by Scull Camp, Mount Airy, and Be-  
 thania, to Salem.

From Warrenton, by Williamsboro', Oxford, Person C. H.  
 Leesburg, Caswell C. H. Lenox Castle, Rockingham C. H. and  
 Germanton, to Salem.

From Oxford to Hillsboro'.

From Raleigh, by Nuthall's Store, to Oxford.

From Raleigh, by Chapel Hill, Hillsboro', Allemance, Greens-  
 boro', Salem, Huntsville, Houstonville, Statesville, Island Ford,  
 Morgantown, and Ashville, to the Warm Springs, and from Ash-  
 ville to Haywood C. H.

From Hillsboro', by Mount Tirzah, Person C. H. Williams-  
 ville, and the Red House, to Halifax C. H. Va.

From Huntsville, by Rockford, Hamptonville, and Wilkesboro',  
 to Ash C. H.

From Salem, by Lexington, Salisbury, and Concord, to Char-  
 lotte.

From Charlotte to Statesville.

From Raleigh, by Pittsboro', Randolph C. H. Salisbury, Beat-  
 tysford, Grahams, Lincolnton,† and Rutherfordton, to Spar-  
 tansburg, S. C.

[† See sec. 1,  
 chap. 403, post.]

From Fayetteville, by Moore C. H. Waddel's Ferry, Tyson's  
 Store, Linley's Store, and Hillsboro', by Jones' Ferry, to Pitts-  
 boro', and, thence, by Haywood, to Fayetteville.

From Fayetteville, by Rockingham, Wadesboro', Springville,  
 and Tindallsville, to Salisbury.

From Fayetteville, by Laurel hill, to Winfieldsville, S. C.

From Warrenton, by Jones' store, Halifax, Northampton C. H.  
 Murfreesborough, Winton, Coleraine, Windsor, Edenton, Hart-  
 ford, Nixonton, Elizabeth, Camden C. H. Indiantown, Curri-  
 tuck C. H. and Tull's Creek, to North West Bridge, Va.

From Elizabeth to New Lebanon.

From Warrenton, by Ransom's Bridge, Sills' Store, Nash C. H.  
 Tarborough, Greenville, Washington, Bath, Woodstock, and  
 Germanton, to Lake Landing,‡ on Matamuskeet.

[‡ Discontinued.  
 See sec. 1, chap.  
 751, post.]

From Halifax, by Enfield, Mount Prospect, to Tarborough.

From Raleigh to Nash Court House.

From Halifax, by Scotland Neck, Hamilton, Williamston,  
 Jamestown, Plymouth, and Washington C. H. to Scuppernong.

From Raleigh, by Smithfield, Waynesboro', Kinston, and  
 Newbern, to Beaufort.

From Kinston to Snowhill.

From Fayetteville, by Sampson C. H. Duplin C. H. and South  
 Washington, to Wilmington.

From Fayetteville, by Elizabethtown, to Wilmington.

From Elizabethtown to Marsh Castle.

In Tennessee.  
 [§ See, for other  
 post roads esta-  
 blished, sec. 2.]

In Tennessee. § From Abingdon, Va. by Blountsville, Ross-  
 ville, Rogersville, Whitesides, Been's Station, Rutledge, Knox-

ile, Campbell, Meredith, Kingston, Hartleys, Alexanders, 1810.  
 White Plains, Carthage,\* Dixon's Springs, Cairo, Gallatin,  
 Hendersonville, Nashville, Franklin, and Columbia, to the Big  
 Spring.

chap. 403, post;  
 also, sec. 2, chap.  
 663, post; and sec.  
 2, ch. 751, post.]  
 [\* Discontinued.  
 See sec. 1, chap.  
 663, post.]

From Blountsville, by Jonesborough, Greenville, Cheek's  
 Cross Roads, and Dandridge, to Knoxville.

From Jonesborough, by Elizabethtown, to Ashe C. H. N. C.

From the Warm Springs, N. C. by Newport, Sevierville,  
 Knoxville, Clinton, and Chitwood, to Pulaski, K.

From Newport, by Cheek's Cross Roads, Been's Station,  
 Hazewell, and Powell's Valley, to Cumberland Gap.

From Knoxville, by Marysville, Telico, Amoy River, Vans-  
 own, Turkeytown, near the junction of Koose and Talipoose  
 rivers, being the head of Alabama river, to Fort Stoddert, on the  
 Mobile river, M. T.

From Carthage to Lebanon.

From Carthage to Fort Blount.

From Nashville, by Charlotte, Hickman C. H. and Hum-  
 phrey's C. H. to Charlotte.

From Nashville, by Springfield, to Russellville, K.

From Springfield, by Port Royal, Clarksville, and Palmyra,  
 to Stewart C. H. and from thence to Eddyville, in the state of  
 Kentucky.

From Kingston, by Rhea C. H. Bledsoe C. H. Warren, and  
 Jefferson, to Nashville.

From Wayne C. H. Kentucky, by Overton C. H. and White  
 Plains, to White C. H.

From Columbia, by Shelbyville, and Winchester, Fayetteville,†  
 Huntsville, M. T. and Pulaski, to Columbia.

From Bledsoe C. H. to Franklin C. H.‡

[† Discontinued.  
 See sec. 1, chap.  
 751, post.]

[‡ Discontinued.  
 See sec. 1, chap.  
 663, post.]

*In South Carolina.*§ From Barefields, by Port's ferry, Chi-  
 na Grove, Georgetown, Charleston, Jacksonboro', Pocotaligo,  
 and Coosawhatchie, to Savannah, Ga.

[§ See, for other  
 post roads esta-  
 blished, sec. 2,  
 chap. 403, post;  
 also, sec. 2, chap.  
 663, post; and  
 sec. 2, chap. 751,  
 post.]

From Greenville, by Pickensville, Pendleton C. H. and Hat-  
 tensford, to Carnesville, Ga.

From Winfieldsville, by Cheraw C. H. Camden, Columbia,  
 Edgefield C. H. and Cambeltown, to Augusta, Ga.

From Barefields, by Marion C. H. Ilesboro', Bitheasville,  
 and Harleysville, to Barefields.

From Port's Ferry to Conwayborough.

From Wadesborough, N. C. by Sneedsborough, Chatham,  
 Cheraw C. H. and Darlington C. H. to Port's Ferry, on Lynch  
 Creek.

From Charleston, by Monk's Corner, Jamesville, Statesburg,  
 Camden, Chesnut Ferry, Peas' Store, Rocky Mount, Lansford,  
 and Alexanders, to Charlotte, to return by Cairo, and Lancas-  
 ter, to Camden.

From Columbia, by Miersville, Statesburg, Sumpterville, Sa-  
 lem, Kingstree, Indiantown, and Willtown, to China Grove.

From Columbia, by Winnsborough, Chester C. H. York C. H.  
 Pinckneyville, Union, Meansville, and Spartanburg, to Greenville.

From Columbia, by Monticello, Hendersons, O'Neals, the

**1810.** Keys, Cross Anchor, and Shacklefords, to Greenville, return by Stonesville, Young's Store, Scuffletown, Huntington, Poplar Grove, and Springhill, to Columbia.

From Charleston, by Dorchester, St. Georges, Orangeburg, Columbia, Newbury C. H. Belfast, Laurens C. H. Fork Shoal, Greenville, Reedsville, and Claytonville, to Ashville, N. C. to return, by Murraysville, to Greenville.

From Greenville, return by Tumbling Shoal, and Laurens C. H. to Columbia.

From Edgefield C. H. by Richardsons, Cambridge, Abbeyville, and Rocky River, to Pendleton C. H.

From Edgefield C. H. by Long Miers, Willington, Vienna, and Andersonville, to Pendleton C. H.

[\* Discontinued.  
See sec. 1, chap.  
403, post.]

From Jacksonboro', by Barnwell C. H.\* and Campbelltown, to Augusta, Ga.

From Pocotaligo to Beaufort.

From Charlotte, N. C. to York C. H.

From Petersburg, Ga. to Vienna.

In Georgia.  
[† See, for other  
post roads estab-  
lished, sec. 2,  
chap. 403, post;  
also, sec. 3, chap.  
403, post.]

*In Georgia.*† From Savannah, by Bryan C. H. Riceboro', M'Intosh C. H. Darien, and Brunswick, to St. Marys.

From Augusta, by Lincolnton, Petersburg, and Elberton, to Franklin C. H.

From Augusta, by Columbia C. H. Washington, Lexington, Athens, Watkinsville, and Clarksboro', to Jefferson.

From Augusta, by Columbia C. H. Warrenton, Sparta, Milledgeville, and Jones C. H. to Hawkins, on the Oakmulgee river, and, from thence, to Coweta.

From Milledgeville, by Putnam C. H. Morgan C. H. and Watkinsville, to Athens.

[‡ Discontinued.  
See sec. 1, chap.  
403, post.]

From Darien, by Jones', to Milledgeville.‡

From Morgan C. H. to Randolph C. H.

From Milledgeville to Saundersville.

[§ Discontinued.  
See sec. 1, chap.  
403, post.]

From Augusta, by Waynesboro', Louisville, Georgetown, Warrenton, Powelton, and Greensboro', to Washington.§

From Augusta, by Jacksonboro', to Savannah.

From Riceboro' to Sunbury.

In Mississippi.  
[|| See, for other  
post roads estab-  
lished, sec. 2,  
chap. 403, post;  
also, sec. 3, ch.  
751, post.]

*In Mississippi.*|| From the Big Spring, by Bear Creek, M'Intoshville, Walnut Hill, St. Albans, Grindstone Ford, Port Gibson, Greenville, Washington, Natchez,¶ Ellis' Ferry, and Loftus Heights, to Pinckneyville.

[¶ See sec. 1,  
chap. 403, post.]  
[\*\* See sec. 1,  
chap. 403, post.]

From M'Intoshville, or White Oak Creek, by Fort St. Stephens, to Fort Stoddert.\*\*

From Coweta, by Tuckabachy, Tensaw, and Fort Stoddert, to Pascagoola River.††

[†† Discontin-  
ed. See sec. 1,  
chap. 751, post.]

*In Orleans Territory.*†† From Pinckneyville, by Baton Rouge, Abbeville, La Fourche, or Houmas, St. Charles, and New Orleans, to Balize.

[‡‡ See, as to  
other post roads  
established, sec.  
3, ch. 603, post.]

From La Fourche, by Point Coupee, Opelousa, and Rapid, to Nachitoches.

From Pascagoola river to New Orleans.

After the 1st  
June, 1810, all  
post roads here-

**SECT. 2.** And be it further enacted, That, from and after the first day of June next, all post roads heretofore established by

any act of congress of the United States, shall be, and the same are hereby discontinued: *Provided*, That nothing herein contained shall be construed so as to affect any existing contracts.

[*Approved, April 28, 1810.*]

1810.  
to be established, discontinued. *Provided*; nothing herein to affect existing contracts.

CHAP. 256. [XXXIV.] An act to extend the time for locating Virginia military land warrants, and for returning the surveys thereon to the secretary of the department of war.\*

[\* Time further extended. See act of 3d Nov. 1814; chap. 684, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the officers and soldiers of the Virginia line on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the Little Miami and Sciota rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed a further term of five years, from and after the passage of this act, to obtain warrants and complete their locations, and a further term of seven years, from and after the passage of this act, as aforesaid, to return their surveys and warrants, or certified copies of warrants, to the office of the secretary of the war department, any thing in any former act to the contrary notwithstanding: *Provided*, That no locations as aforesaid, within the abovementioned tract, shall, after the passing of this act, be made on tracts of land for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this section, shall be considered as null and void.

The officers and soldiers of the Virginia line on continental establishment, &c. allowed a further term of five years, &c. to obtain warrants and complete locations, and a further term of seven years, &c. to return their surveys, &c.

*Provided*; no locations within the tract mentioned, after the 16th March, 1810, to be made on tracts for which patents had been previously issued, &c.

[*Approved, March 16, 1810.*]

CHAP. 257. [XLIX.] An act concerning invalid pensioners.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of war be, and he is hereby, directed to place the following named persons, whose claims have been transmitted to congress, pursuant to a law passed the tenth of April, one thousand eight hundred and six,† on the pension list of invalid pensioners of the United States, according to the rates, and to commence at the times, herein mentioned; that is to say:

The secretary of war directed to place the persons named on the pension list, at the rates mentioned, &c. [† Ante, ch. 35.]

Gideon Griggs, at the rate of two dollars and fifty cents per month, to commence on the ninth day of December, one thousand eight hundred and nine.

Names of persons directed to be placed on the pension list, &c.

Elijah Brainard, at the rate of five dollars per month, to commence on the sixth day of November, eighteen hundred and nine.

Benjamin Cotton, at the rate of two dollars and fifty cents per month, to commence on the thirtieth day of January, eighteen hundred and nine.

William Smart, at the rate of five dollars per month, to commence on the second day of February, eighteen hundred and nine.

1810.

Statements of Insured  
persons, &c.

John Union, at the rate of two dollars and fifty cents per month, to commence on the sixth day of December, eighteen hundred and eight.

Edward Grant, at the rate of three dollars and seventy cents per month, to commence on the twenty-third day of January, eighteen hundred and nine.

Peleg Smith, at the rate of three dollars and thirty-three and one-third cents per month, to commence on the tenth day of January, eighteen hundred and nine.

Nathaniel Ladd, at the rate of two dollars and fifty cents per month, to commence on the twenty-eighth day of January, eighteen hundred and nine.

John Reed, at the rate of five dollars per month, to commence on the thirty-first day of October, eighteen hundred and nine.

Joseph Slack, at the rate of three dollars and thirty-three and one-third cents per month, to commence on the seventeenth day of October, eighteen hundred and nine.

Samuel Sterns, at the rate of two dollars and fifty cents per month, to commence on the twentieth day of March, eighteen hundred and nine.

Enos Petett, at the rate of two dollars per month, to commence on the fifth day of June, eighteen hundred and nine.

Jonathan Perkins, at the rate of five dollars per month, to commence on the third day of May, eighteen hundred and nine.

Toney Twiney, at the rate of three dollars and seventy-five cents per month, to commence on the twenty-third day of June, eighteen hundred and eight.

James Wayland, at the rate of three dollars and thirty-three and one-third cents per month, to commence on the sixteenth day of January, eighteen hundred and nine.

David Hurd, at the rate of three dollars and seventy-five cents per month, to commence on the twenty-third day of June, eighteen hundred and eight.

Squire Boon, at the rate of three dollars per month, to commence on the ninth day of September, eighteen hundred and nine.

Henry Shaw, at the rate of two dollars and fifty cents per month, to commence on the seventeenth day of October, eighteen hundred and nine.

Quintin Moore, at the rate of one dollar and sixty-six and two-thirds cents per month, to commence on the twenty-sixth day of August, eighteen hundred and nine.

Robert Baird, at the rate of ten dollars per month, to commence on the sixth day of May, eighteen hundred and nine.

George Tennell, at the rate of two dollars and fifty cents per month, to commence on the fifth day of December, eighteen hundred and eight.

Edward Lloyd, at the rate of thirteen dollars and thirty-three and one-third cents per month, to commence on the twenty-first day of June, eighteen hundred and nine.

John M'Chesney, at the rate of three dollars thirty-three and one-third cents per month, to commence on the twentieth day of February, eighteen hundred and ten.

Benjamin Strother, at the rate of three dollars and thirty-three

and one-third cents per month, to commence on the fifth day of October, eighteen hundred and nine. 1810.

George Cress, at the rate of two dollars and fifty cents per month, to commence on the seventh day of August, eighteen hundred and nine. Names of invalid pensioners, &c.

James Howard, at the rate of two dollars and fifty cents per month, to commence on the third day of July, eighteen hundred and nine.

Newman Laudman, at the rate of three dollars and thirty-three and one-third cents per month, to commence on the twenty-fourth day of June, eighteen hundred and nine.

John Powell, at the rate of three dollars and thirty-three and one-third cents per month, to commence on the twentieth day of November, eighteen hundred and nine.

George Benedict, at the rate of three dollars and thirty-three and one-third cents per month, to commence on the twenty-second day of November, eighteen hundred and nine.

Philip Philips, at the rate of two dollars and fifty cents per month, to commence on the twenty-ninth day of November, eighteen hundred and nine.

Peter Conyne, at the rate of eight dollars per month, to commence on the twenty-eighth day of November, eighteen hundred and nine.

James Buxton, at the rate of four dollars per month, to commence on the twenty-second day of December, eighteen hundred and nine.

John Crookshanks, at the rate of two dollars and fifty cents per month, to commence on the twentieth day of December, eighteen hundred and nine.

John Gilbert, at the rate of two dollars and fifty cents per month, to commence on the second day of September, eighteen hundred and eight.

Simcon Gibbs, at the rate of two dollars and fifty cents per month, to commence on the twenty-eighth day of March, eighteen hundred and eight.

James Berry, at the rate of one dollar and sixty-six and two-thirds cents per month, to commence on the ninth day of September, eighteen hundred and nine.

James Warson, at the rate of three dollars and thirty-three and one-third cents per month, to commence on the twenty-second day of September, eighteen hundred and nine.

Joseph Shaler, at the rate of twenty dollars per month, to commence on the twelfth day of February, eighteen hundred and nine.

James Munn, at the rate of ten dollars per month, to commence on the eighteenth day of March, eighteen hundred and nine.

Joseph Reed, at the rate of three dollars and thirty-three and one-third cents per month, to commence on the sixteenth day of March, eighteen hundred and nine.

Charles Kilgore, at the rate of two dollars and fifty cents per month, to commence on the twenty-eighth day of April, eighteen hundred and nine.

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Names of invalid  
pensioners, &c.

Ambrose Lewis, at the rate of two dollars and fifty cents per month, to commence on the nineteenth day of July, eighteen hundred and nine.

John Newman, at the rate of ten dollars per month, to commence on the twenty-seventh day of October, eighteen hundred and nine.

Joseph Noyes, at the rate of two dollars and fifty cents per month, to commence on the twenty-eighth day of January, eighteen hundred and nine.

Aaron Brinck, at the rate of five dollars per month, to commence on the twenty-sixth day of January, eighteen hundred and nine.

David Hamilton, at the rate of five dollars per month, to commence on the twenty-sixth day of January, eighteen hundred and nine.

Hackalia Doolittle, at the rate of two dollars and fifty cents per month, to commence on the twenty-fifth day of January, eighteen hundred and nine.

Peter Harford, at the rate of two dollars and fifty cents per month, to commence on the eighth day of March, eighteen hundred and ten.

John Wood, at the rate of two dollars and fifty cents per month, to commence on the third day of March, eighteen hundred and ten.

Thomas Goodrum, at the rate of two dollars and fifty cents per month, to commence on the fourteenth day of March, eighteen hundred and ten.

John Smith, at the rate of four dollars per month, to commence on the twenty-eighth day of January, eighteen hundred and nine.

Jared Duncan, at the rate of five dollars per month, to commence on the eighth day of December, eighteen hundred and nine.

John Martin, at the rate of two dollars and fifty cents per month, to commence on the twenty-first day of March, eighteen hundred and ten.

Gerardus Dingman, at the rate of five dollars per month, to commence on the fifteenth day of January, eighteen hundred and ten.

Donald McDonald, at the rate of two dollars and fifty cents per month, to commence on the twentieth day of January, eighteen hundred and ten.

The pensions of  
the persons nam-  
ed to be in-  
creased, as spe-  
cified, &c.

[\* Ante, ch. 24.]

Names of per-  
sons whose pen-  
sions have been  
increased.

SECT. 2. *And be it further enacted*, That the pensions of the following persons, already placed on the pension list of the United States, whose claims for an increase of pension have been transmitted to congress, pursuant to the act aforesaid,\* be increased to the sums herein, respectively, annexed to their names; the said increase to commence at the times herein mentioned; that is to say:

William Little, five dollars per month, to commence on the twenty-second of November, eighteen hundred and nine.

Walker Baylor, twenty dollars per month, to commence on the twenty-ninth of December, eighteen hundred and eight.

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Names of persons whose pensions have been increased.

**Isaac Bennet**, three dollars and thirty-three and one-third cents per month, to commence on the twenty-sixth of June, eighteen hundred and nine.

**Thomas Carhart**, five dollars per month, to commence on the twenty-first of February, eighteen hundred and nine.

**David Weaver**, five dollars per month, to commence on the fourth of September, eighteen hundred and nine.

**Josias Smith**, ten dollars per month, to commence on the eleventh of May, eighteen hundred and nine.

**Abiel Knapp**, three dollars and thirty-three and one-third cents per month, to commence on the twenty-seventh of October, eighteen hundred and eight.

**Peter D. Demarest**, five dollars per month, to commence on the seventh of January, eighteen hundred and nine.

**Kerley Ward**, three dollars and thirty-three and one-third cents per month, to commence on the tenth of January, eighteen hundred and nine.

**John Utter**, five dollars per month, to commence on the third of January, eighteen hundred and ten.

**Lee Lay**, six dollars and sixty-six and two-third cents per month, to commence on the fourth of December, eighteen hundred and nine.

**Henry Cone**, five dollars per month, to commence on the fourth of December, eighteen hundred and nine.

**Elihu Sabin**, three dollars thirty-three and one-third cents per month, to commence on the third of October, eighteen hundred and nine.

**Simon Crosby**, three dollars thirty-three and one-third cents per month, to commence on the twentieth of September, eighteen hundred and nine.

**William Tarbell**, three dollars per month, to commence on the third of June, eighteen hundred and nine.

**Jeremiah Markham**, five dollars per month, to commence on the third of June, eighteen hundred and nine.

**John Wakelee**, five dollars per month, to commence on the first of September, eighteen hundred and eight.

**David Orcutt**, five dollars per month, to commence on the fifteenth of March, eighteen hundred and nine.

**Jedediah Brown**, two dollars and fifty cents per month, to commence on the fourteenth of October, eighteen hundred and eight.

**Stephen Hempstead**, three dollars and seventy-five cents per month, to commence on the third of February, eighteen hundred and nine.

**Isaac Finch**, five dollars per month, to commence on the twenty-first of July, eighteen hundred and eight.

**Richard Lamb**, three dollars thirty-three and one-third cents per month, to commence on the first of May, eighteen hundred and eight.

**Solomon Stark**, three dollars and seventy-five cents per month, to commence on the thirteenth of February, eighteen hundred and nine.



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Names of persons whose pensions have been increased.

**Nathan Hawley**, three dollars thirty-three and one-third cents per month, to commence on the twenty-sixth of May, eighteen hundred and eight.

**Samuel French**, five dollars per month, to commence on the twenty-sixth of May, eighteen hundred and eight.

**Nero Hawley**, three dollars thirty-three and one-third cents per month, to commence on the twenty-sixth of May, eighteen hundred and eight.

**Zeba Woodworth**, five dollars per month, to commence on the fifth of September, eighteen hundred and nine.

**Annaiias Tubbs**, two dollars and fifty cents per month, to commence on the fifteenth of March, eighteen hundred and nine.

**Jonas Adams**, five dollars per month, to commence on the sixth of February, eighteen hundred and nine.

**Moses Smith**, five dollars per month, to commence on the ninth of February, eighteen hundred and ten.

**Abraham Sawyer**, two dollars and fifty cents per month, to commence on the sixteenth of November, eighteen hundred and nine.

**Elias Barron**, five dollars per month, to commence on the sixth of June, eighteen hundred and nine.

**Richard Crouch**, five dollars per month, to commence on the twelfth of April, eighteen hundred and nine.

**Joseph Johnson**, five dollars per month, to commence on the eighteenth of March, eighteen hundred and nine.

**Jeremiah Robbins**, three dollars thirty-three and one-third cents per month, to commence on the thirtieth of January, eighteen hundred and nine.

**Abner Kent**, five dollars per month, to commence on the thirtieth of January, eighteen hundred and nine.

**James Cobey**, five dollars per month, to commence on the sixteenth of May, eighteen hundred and nine.

**George Vaughan**, thirteen dollars thirty-three and one-third cents per month, to commence on the twelfth of January, eighteen hundred and ten.

**Statts Hammond**, five dollars per month, to commence on the eighteenth of December, eighteen hundred and nine.

**Bartlett Hawkins**, five dollars per month, to commence on the eighth of March, eighteen hundred and ten.

**William Foster**, five dollars per month, to commence on the sixteenth of December, eighteen hundred and nine.

**Samuel Johnston**, five dollars per month, to commence on the first day of January, eighteen hundred and nine.

The secretary of war directed to place Andrew Pinkerton on the pension list, at the rate mentioned, &c.

**SECT. 3.** *And be it further enacted*, That the secretary of war be, and he is hereby, directed to place Andrew Pinkerton on the pension list of invalid pensioners of the United States, and to pay him at the rate of three dollars and thirty-three cents and one-third of a cent per month, commencing on the twenty-fifth of August, eighteen hundred and nine.

The sums appropriated by this act to be paid out of unappropriated moneys in the treasury.

**SECT. 4.** *And be it further enacted*, That the several sums specifically appropriated by this act, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, April 27, 1810.]

HAP. 258. [L.] An act providing for the printing and distributing of such laws of the United States as respect the public lands.\*

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SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to cause to be collected into one volume, and arranged, the several laws of the United States, resolutions of the congress under the confederation, treaties, and proclamations, that have operation and respect to the public lands, and to cause twelve hundred copies to be printed, one of which shall be transmitted to each of the existing land boards of commissioners for settling and claims, and a copy to each of the registers and receivers of public moneys of the several land offices of the United States; and the residue of the said copies shall be preserved for the future disposition of congress. [Approved, April 27, 1810.]

[\* Obsolete. See act of 18th Feb. 1811; chap. 297, post.]  
The president authorized to cause to be collected into one volume the several laws of the United States, &c. that have operation and respect to the public lands, and to cause 1,200 copies to be printed.  
One copy to each land board, and to each register and receiver, &c.  
The residue of the copies to be preserved for future disposition, &c.

HAP. 259. [L.] An act providing for the better accommodation of the general post office and patent office, and for other purposes.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and hereby is, authorized to erect, or procure by purchase, a building suitable for the accommodation of the general post office, and of the office of the keeper of the patents, in such situation, and finished in such manner, as the interest of the United States, and the safety and convenience of those offices, respectively, and the arrangement of the models in the patent office, shall, in his opinion, require.

The president authorized to erect, or procure by purchase, a building suitable for the general post office, and for the office of the keeper of the patents, &c.

SECT. 2. *And be it further enacted,* That the president of the United States be, and hereby is, authorized to cause the city post office, and the offices of the superintendent and surveyor of the city of Washington, to be immediately removed from the public building west of the president's house; and that he cause to be built, within the said public building, as many fire proof rooms as shall be sufficient for the convenient deposit of all the public papers and records of the United States, belonging to, or in the custody of, the state, war, or navy, departments.

The president to cause the city post office, and offices of superintendent and surveyor of the city of Washington, to be removed from the public building west of the president's house, and to cause fire proof rooms to be built, &c.

SECT. 3. *And be it further enacted,* That the sum of twenty thousand dollars be appropriated, for the purposes expressed in this act, out of any moneys in the treasury, not otherwise appropriated. [Approved, April 28, 1810.]

20,000 dols. appropriated for the purposes of this act, &c.

HAP. 260. [LII.] An act providing for the sale of certain lands in the Indiana territory, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That all that tract of land, to which the Indian title was extinguished by the treaty made at fort Wayne, on the thirtieth day of September, in the year one thousand eight hundred and nine,† lying west, and adjoining to the boundary line established by the treaty

The tract of land to which the Indian title was extinguished by the treaty of fort Wayne, &c. to be attached to the districts of Cincinnati and Vincennes.  
[† See the treaty, page 419, vol. 1.]

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The lands referred to, with the exception of No. 16, to be offered for sale to the highest bidder, &c.

The sales to remain open at Cincinnati one week, and at Vincennes three weeks; lands not to be sold for less than two dollars per acre, &c.

Lands remaining unsold, &c. except, &c. may be disposed of at private sale, &c.

Patents to be obtained as for other public lands in the same districts. [\*See sec. 5, ch. 388, vol. 3; and sec. 3, ch. 382, post.] Superintendents of sales under this act to receive 4 dolls. a day, &c. After the 1st June, 1810, the 2d principal meridian established by the surveyor general in the Indiana, &c. to be the boundary between the districts of Vincennes and Jeffersonville, &c.

Persons entitled to donation lands in the district of Vincennes by any former resolution or act of congress, and who were minors, &c. during the time allowed by law for registering claims, &c. permit d, until the 1st Nov. 1810, to give notice to the register, and have the evidence recorded, as provided by the act mentioned. [†Ch. 388, vol. 3.] The right of persons neglecting to give notice, &c. barred. [‡See chap. 489, post.]

ty of Greenville, shall be attached to, and made a part of, the district of Cincinnati; and the residue of the lands to which the Indian title was extinguished by the said treaty, and other treaties made at Vincennes in the same year, shall be attached to, and made a part of, the district of Vincennes; and the said lands, with the exception of section number sixteen, which shall be reserved in each township for the use of schools within the same, shall be offered for sale to the highest bidder, under the direction of the register of the land office, and of the receiver of public moneys, at the places respectively where the land offices are kept, and on such day or days as shall, by proclamation of the president of the United States, be designated for that purpose; the sales shall remain open at Cincinnati one week, and at Vincennes three weeks, and no longer; the lands shall not be sold for less than two dollars an acre, and shall, in every other respect, be sold in tracts of the same size, and on the same terms and conditions, as have been, or may be, provided for lands sold in the same districts; all the lands in the said tracts, with the exception abovementioned, remaining unsold at the close of the said sales, may be disposed of at private sale, by the register of the respective land offices, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are, or may be, provided by law for the sale of lands in the same districts; and patents shall be obtained in the same manner, and on the same terms, as for other public lands sold in the same districts.\*

SECT. 2. *And be it further enacted*, That the several superintendents of public sales directed by this act, shall receive four dollars a day, for each day's attendance on the said sales.

SECT. 3. *And be it further enacted*, That, from and after the first day of June next, the second principal meridian, established by the surveyor general in the Indiana territory, shall be the boundary between the districts of Vincennes and Jeffersonville; and the lands included in the said districts, respectively, according to the boundaries abovementioned, shall become a part of the district in which they are included, and shall be sold at the same place, in the same manner, and on the same terms and conditions, as the other public lands lying in the same district.

SECT. 4. *And be it further enacted*, That any person or persons entitled to donation lands in the district of Vincennes, by any former resolution or act of congress, and who were minors, or did not reside within the Indiana territory, during the time allowed by law for registering claims to land within the said district, and whose claims have not heretofore been presented to either of the boards of commissioners for adjusting claims to land at Vincennes and Kaskaskia, may, until the first day of November next, give notice, in writing, to the register of the land office of the said district, of their claims, and have the evidence of the same recorded, in the same manner, and on payment of the fees, provided by an act, entitled "An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes;"† and the right of any such persons neglecting to give such notice of his claim, and to have the evidence of the same recorded, shall become void, and forever be barred.‡

**SECT. 5.** *And be it further enacted,* That the register of the land office, and the receiver of public moneys, at Vincennes, shall perform the same duties, and exercise the same powers, in relation to the claims filed with the register under this act, which, by the last recited act, were enjoined on, or vested in, the commissioners designated by the said act; and it shall, also, be the duty of the said register and receiver, to make, to the secretary of the treasury, a report of all the claims thus filed with the register of the land office, together with the substance of the evidence adduced in support thereof, with such remarks thereon as they may think proper; which report, together with a list of the claims, which, in the opinion of the register and receiver ought to be confirmed, shall be laid by the secretary of the treasury before congress, at their next session, for their determination thereon; and the said register and receiver shall, each, be allowed an additional compensation, of one hundred dollars, in full for their services in relation to such claims, and one hundred dollars for clerk hire.

**SECT. 6.** *And be it further enacted,* That a tract of land in the Illinois territory, at, and including, Shawneetown, on the Ohio river, shall, under the direction of the surveyor general, be laid off into town lots, streets, and avenues, and into outlots, in such manner, and of such dimensions, as he may judge proper: *Provided,* The tract so to be laid off shall not exceed the quantity of land contained in two entire sections, nor the town lots one-quarter of an acre each. When the survey of the lots shall be completed, a plat thereof shall be returned to the surveyor general, on which the town lots and outlots shall, respectively, be designated, by progressive numbers; who shall cause two copies to be made, one to be transmitted to the secretary of the treasury, and the other to the register of the land office; and the lots shall be offered to the highest bidder at public sale, at the same time and place, on the same terms and conditions, (except as to the quantity of land,) as have or may be provided for the sale of the other public lands in the said territory: *Provided,* That no town lot shall be sold for a less price than eight dollars, nor any outlot for less than at the rate of five dollars an acre. [Approved, April 30, 1810.]

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The register and receiver at Vincennes to perform the same duties, &c. in relation to the claims filed under this act, as are enjoined on the commissioners by the act referred to, and to report to the secretary of the treasury, who is to lay the report before congress, &c.

The register and receiver allowed an additional compensation of 100 dols. and 100 dols. for clerk hire.

A tract of land in the Illinois territory including Shawneetown, &c. to be laid off into town lots, &c. and the direction of the surveyor general, &c.

*Provided:* the tract not to exceed two sections, nor the town lots 1-4th of an acre each. A plat to be returned to the surveyor general, and the town lots, &c. to be designated by progressive numbers, &c. The lots to be offered at public sale, &c.

*Provided:* no town lot to be sold for less than 8 dollars, nor any outlot for less than 5 dols. an acre.

**CHAP. 261.** [LIII.] An act to extend the time for making payment for the public lands of the United States in certain cases.\*

[\* See former act, of 3d March, 1809; ante, chap. 197.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That every person who, prior to the first day of January, one thousand eight hundred and six, had purchased any tract or tracts of land of the United States, not exceeding, in the whole, six hundred and forty acres, at any of the land offices established for the disposal of said lands, whether such purchase was made at public or private sale, (sales by virtue of a pre-emption right only excepted,) and whose lands have not already been actually sold, or reverted to the United States, for nonpayment of part of the purchase money, and who shall, for the term of at least one year

Persons who, prior to the 1st Jan. 1806, had purchased tracts of land, not exceeding 640 acres, either at public or private sale, except, &c. and whose lands have not been sold, or reverted, for nonpayment, &c. and who, for one year previous to the expiration of five

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years from the date of the purchase, &c. have actually inhabited, &c. the tracts thus purchased, and the time for making the last payment not having expired on or before the 1st Jan. 1811, allowed a further term of two years for payment of the residue, &c. the two years to commence from the expiration of one year from the day on which the last payment on account of the purchase should have become due, &c. Conditions on which the term of two years is allowed.

1. Arrears of interest &c. must have been paid, &c.

2. The residue of the principal due, must be paid, with interest, in two equal annual payments, as specified.

In case of failure in paying, &c. the tracts of land to be advertised and offered for sale, &c. and to revert, &c.

Where tracts, not exceeding 640 acres, have, since the 1st Jan. 1810, reverted for default of payment, the original purchasers may again enter, &c. and the moneys which they may have paid to be replaced to their credit, &c. and they are to be allowed the benefits of this act. *Provided*, original purchasers to make, to the proper land officer, application for re-entry, &c. before the 1st June, 1810; and if the land has not been resold.

previous to the expiration of five years from the date of the purchase of the land, have actually inhabited and cultivated any one tract of land thus purchased, and the time for making the last payment on account of such purchase, according to former laws, may have expired, or shall expire, on or before the first day of January next, shall be allowed a further term of two years, for the payment of the residue of the principal due on account of such purchase; which further term of two years shall be calculated to commence from the expiration of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due, and shall be allowed only on the following conditions; that is to say: First, That all the arrears of interest on the land purchased, to the end of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due, shall have been paid at or before the end of such year: Second, That the residue of the sum due on account of the principal of such purchase shall be paid, with interest thereon, in two equal annual payments, viz: One-half of the said residue, with the interest which may then be due thereon, within one year; and the other half of the said residue, with the interest which may then be due thereon, within two years after the expiration of one year from and after the day on which the last payment on account of such purchase should, according to former laws, have become due. And in case of failure in paying either the arrears of interest or each of the two instalments of principal, with the accruing interest, at the time and times abovementioned, the tract of land shall be forthwith advertised, and offered for sale in the manner, and on the terms and conditions, now prescribed for the sale of lands purchased from the United States and not paid for within the limited time; and shall revert, in like manner, to the United States, if the sum due, with interest, be not at such sale bidden and paid.

And in cases where any tract or tracts of land, not, in the whole, exceeding six hundred and forty acres, which have, since the first day of January last, reverted to the United States, for default of payment, the original purchaser may again enter the same tract or tracts. And all moneys which such original purchaser may have paid shall be replaced to his credit, by the receiver of public moneys of the respective land offices, and such repurchasers shall be allowed the same benefits of the extension of the time of payment, created by this act, as though no such reversion had occurred: *Provided*, Such original purchaser shall make, to the proper land officer, such application for such re-entry as is required by law for the entry of lands, on or before the first day of June next, and the land so reverted shall not have then been previously resold. [Approved, April 30, 1810.]

CHAP. 262. [LIV.] An act regulating the post office establishment.

A general post office to be established at the seat of government, under the

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That there be established, at the seat of government of the Uni-

ted States, a general post office, under the direction of a postmaster general.\* The postmaster general shall appoint two assistants,† and such clerks as may be necessary for performing the business of his office. He shall establish post offices and appoint postmasters, at all such places as shall appear to him expedient, on the post roads that are, or may be, established by law. He shall give his assistants, the postmasters, and all other persons whom he shall employ, or who may be employed in any of the departments of the general post office, instructions relative to their duty. He shall provide for the carriage of the mail on all post roads that are, or may be, established by law;‡ and as often as he, having regard to the productiveness thereof, and other circumstances, shall think proper, he may direct the route or road, where there are more than one, between places designated by law for a post road, which route shall be considered the post road. He shall obtain from the postmasters their accounts and vouchers for their receipts and expenditures once in three months, or oftener, with the balances thereon arising in favor of the general post office. He shall pay all expenses which may arise in conducting the post office, and in the conveyance of the mail, and all other necessary expenses arising on the collection of the revenue and management of the general post office. He shall prosecute offences against the post office establishment. He shall, once in three months, render to the secretary of the treasury a quarterly account of all the receipts and expenditures in the said department, to be adjusted and settled as other public accounts. He shall also superintend the business of the department, in all the duties that are, or may be, assigned to it: *Provided*, That in case of the death, resignation, or removal, from office, of the postmaster general, all his duties shall be performed by his senior assistant, until a successor shall be appointed, and arrive at the general post office, to perform the business.

SECT. 2. *And be it further enacted*, That the postmaster general, and all other persons employed in the general post office, or in the care, custody, or conveyance, of the mail, shall, previous to entering upon the duties assigned to them, or the execution of their trusts, and before they shall be entitled to receive any emolument therefor, respectively, take and subscribe the following oath or affirmation, before some magistrate, and cause a certificate thereof to be filed in the general post office: “*I, A B, do swear, or affirm, (as the case may be,) that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the post office and post roads within the United States.*” Every person who shall be in any manner employed in the care, custody, conveyance, or management, of the mail, shall be subject to all pains, penalties; and forfeitures, for violating the injunctions, or neglecting the duties required of him, by the laws relating to the establishment of the post office and post roads, whether such person shall have taken the oath or affirmation above prescribed or not.

SECT. 3. *And be it further enacted*, That it shall be lawful for the postmaster general to provide, by contract, for the car-

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direction of a postmaster general. [\* See chap. 388, post.]

The postmaster general to appoint two assistants, and clerks, &c.

[\* See chap. 281, post.]

Duties of the postmaster general.

[\* See act of 27th Feb. 1813, chap. 499, post, which authorizes the postmaster general to contract for carrying the mail in steam boats; and see 3, 4, 5, ch. 747, post, on the same subject.]

*Provided*, in case of the death, resignation, or removal, of the postmaster general, his duties to be performed by the senior assistant until his successor arrives, &c.

The postmaster general, and all other persons employed in the general post office, &c. to take and subscribe an oath, &c.

A certificate of the oath to be filed, &c.

Form of the oath.

Every person in any manner employed in the care, &c. of the mail, subject to all pains, penalties, &c. whether he has taken the oath or not.

The postmaster general may provide, by con-

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tract, for the carrying of the mail on any road on which a stage wagon is established, the expense not to exceed the revenue.

The postmaster general may enter into contracts, for not exceeding eight years, for extending the line of posts, and authorize the contractors to receive the postage as compensation, &c.

The roads designated in the contracts, &c. to be considered as post roads, &c. A duplicate of every contract to be lodged in the office of the comptroller within 60 days, &c.

None but a free white person to be employed in carrying the mail, and a penalty of 50 dollars, from the contractor, &c.

A moiety of the penalty to the person prosecuting, &c.

The postmaster general authorized to allow the postmasters at the distributing offices adequate compensation, &c. not exceeding five per cent. on the whole amount of postages, &c. *Provided*; no additional allowance if the number of mails is not increased by the distributing system.

Whenever any post road is obstructed by fences, gates, &c. and not kept in good repair, &c. the postmaster general to report the same to congress, to enable them to establish some other road, &c.

Any person willfully regarding the mail, &c. is

liable of the mail, on any road on which a stage wagon or other stage carriage shall be established, on condition that the expenses thereof shall not exceed the revenue thence arising. It shall also be lawful for the postmaster general to enter into contracts, for a term not exceeding eight years, for extending the line of posts, and to authorize the persons so contracting, as a compensation for their expenses, to receive, during the continuance of such contracts, at rates not exceeding those for like distances established by this act, all the postage which shall arise on letters, newspapers, magazines, pamphlets, and packets, conveyed by any such post; and the roads designated in such contracts shall, during the continuance thereof, be deemed and considered as post roads within the provision of this act: And a duplicate of every such contract shall, within sixty days after the execution thereof, be lodged in the office of the comptroller of the treasury of the United States.

SECT. 4. *And be it further enacted*, That no other than a free white person shall be employed in carrying the mail of the United States, on any of the post roads, either as a post rider or driver of a carriage carrying the mail; and every contractor or person who shall have stipulated, or may hereafter stipulate, to carry the mail, or whose duty it shall be to cause the same to be conveyed on any of the post roads as aforesaid, and who shall, contrary to this act, employ any other than a free white person as a post rider or driver, or in any other way to carry the mail on the same, shall, for every such offence, forfeit and pay the sum of fifty dollars; one moiety thereof to the use of the United States, and the other moiety thereof to the person who shall sue for and prosecute the same before any court having competent jurisdiction thereof.

SECT. 5. *And be it further enacted*, That the postmaster general shall be authorized to allow the postmasters at the several distributing offices such compensation as shall be adequate to their several services in that respect: *Provided*, That the same shall not exceed, in the whole, five per cent. on the whole amount of postages on letters and newspapers received for distribution: *Provided also*, That if the number of mails received at, and despatched from, any such office, is not actually increased by the distributing system, then no additional allowance shall be made to the postmaster.

SECT. 6. *And be it further enacted*, That whenever it shall be made to appear to the satisfaction of the postmaster general, that any road established, or which may hereafter be established, as a post road, is obstructed by fences, gates, or bars, or other than those lawfully used on turnpike roads to collect their toll, and not kept in good repair, with proper bridges and ferries where the same may be necessary, it shall be the duty of the postmaster general to report the same to congress, with such information as can be obtained, to enable congress to establish some other road instead of it in the same main direction.

SECT. 7. *And be it further enacted*, That if any person shall, knowingly and wilfully, obstruct or retard the passage of the mail,

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or of any driver or carrier, or of any horse or carriage carrying the same, he shall, upon conviction, for every such offence, pay a fine not exceeding one hundred dollars: And if any ferryman shall, by wilful negligence, or refusal to transport the mail across any ferry, delay the same, he shall forfeit and pay, for each ten minutes that the same shall be so delayed, a sum not exceeding ten dollars.

liable to pay a fine not exceeding 100 dollars. If any ferryman delays the mail, he forfeits not exceeding ten dollars for each ten minutes.

The postmaster general to give six weeks' notice of his intention to contract for carrying the mail, describing the places from and to which the mail is to be conveyed, &c.

A duplicate of the contracts, and the proposals received, to be lodged, within 60 days, in the office of the comptroller, &c. *Provided*, no contract for more than 4 years. Every postmaster to keep an office, in which persons are to attend, &c.

Letters, &c. to be delivered by postmasters at all reasonable hours, every day, &c. Letters brought half an hour before making up the mail, to be forwarded, &c. except, &c.

No fees or perquisites to be received by persons employed in the general post office, &c.

Rates of postage on letters and packets, except, &c. [*See act of 23d of Dec. 1814; s. c. 2, ch. 681, post, which adds 50 per cent. to the rates of postage.*]

**SECT. 8.** *And be it further enacted*, That it shall be the duty of the postmaster general to give public notice, in one or more of the newspapers published at the seat of government of the United States, and in one or more of the newspapers published in the state or states or territory where the contract is to be performed, for at least six weeks before entering into any contract for carrying the mail, that such contract is intended to be made, and the day on which it is to be concluded, describing the places from and to which such mail is to be conveyed, the time at which it is to be made up, and the day and hour at which it is to be delivered. He shall, moreover, within ninety days after the making of any contract, lodge a duplicate thereof, together with the proposals which he shall have received respecting it, in the office of the comptroller of the treasury of the United States: *Provided*, That no contract shall be entered into for a longer term than four years.

**SECT. 9.** *And be it further enacted*, That every postmaster shall keep an office, in which one or more persons shall attend on every day on which a mail, or bag, or other packet or parcel, of letters shall arrive, by land or water, as well as on other days, at such hours as the postmaster general shall direct, for the purpose of performing the duties thereof; and it shall be the duty of the postmaster, at all reasonable hours, on every day of the week, to deliver, on demand, any letter, paper, or packet, to the person entitled to or authorized to receive the same; and all letters brought to any post office half an hour before the time of making up the mail at such office, shall be forwarded therein; except at such post offices where, in the opinion of the postmaster general, it requires more time for making up the mail, and which he shall accordingly prescribe; but this shall in no case exceed one hour.

**SECT. 10.** *And be it further enacted*, That no fees or perquisites shall be received by any person employed in the general post office, on account of the duties to be performed by virtue of his appointment.

**SECT. 11.** *And be it further enacted*, That the following rates of postage\* shall be charged on all letters and packets, (excepting such as are hereinafter exempted,) conveyed by the posts of the United States, viz: For every letter composed of a single sheet of paper, conveyed not exceeding forty miles, eight cents; over forty, and not exceeding ninety, miles, ten cents; over ninety, and not exceeding one hundred and fifty, miles, twelve and a half cents; over one hundred and fifty, and not exceeding three hundred, miles, seventeen cents; over three hundred, and not exceeding five hundred, miles, twenty cents; over five hundred



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Double and triple rates for double and triple letters.

Packets of four or more pieces of paper, &c. and weighing an ounce, &c. to pay quadruple the rates, &c. Proviso; packets of letters by water mails not to be charged more than quadruple, unless they contain more than four distinct letters.

Postmasters not obliged to receive, &c. packets weighing more than 3 lbs. The postage marked on any letter, &c. to be conclusive evidence, &c. unless the letter be opened in the presence of the postmaster, &c.

Ship letters, &c. to be charged with six cents each at the port of arrival, and if conveyed thence by post, with two cents added to the ordinary rates, &c.

Postmasters, or others, fraudulently demanding, &c. any rate of postage, &c. other than provided by this act, to forfeit 100 dollars, and rendered incapable of holding any office, &c.

Vessels arriving where a post office is established, not to be permitted to report, make entry, or break bulk, until the master or commander shall have delivered to the postmaster all letters directed to persons within the United States, &c. except such as are directed to the owner or consignee, and those to be delivered at the port of delivery, &c.

The collectors, &c. to require an oath from every master of a vessel, that he has delivered all letters, except, &c. Not exceeding 100 dollars, forfeit if a master breaks bulk before complying with the requirements of this act. Postmasters receiving ship let-

ters, twenty-five cents. And for every double letter, or one composed of two pieces of paper, double those rates; and for every triple letter, or one composed of three pieces of paper, triple those rates; and for every packet composed of four, or more, pieces of paper, or other thing, and weighing one ounce avoirdupois, quadruple those rates, and in that proportion for all greater weight: *Provided*, That no packet of letters conveyed by the water mails shall be charged with more than quadruple postage, unless the same shall actually contain more than four distinct letters. No postmaster shall be obliged to receive, to be conveyed by the mail, any packet which shall weigh more than three pounds: And the postage marked on any letter or package, and charged on the post bill, which may accompany the same, shall, in favor of the postmaster who delivers out said letter, be conclusive evidence of the lawful postage thereon, unless said letter shall be opened in the presence of the said postmaster, or his clerk.

SECT. 12. *And be it further enacted*, That every letter or packet brought into the United States, or carried from one port therein to another, in any private ship or vessel, shall be charged with six cents, if delivered at the post office where the same shall arrive; and if destined to be conveyed by post to any other place, with two cents added to the ordinary rates of postage.

SECT. 13. *And be it further enacted*, That if any postmaster, or other person authorized by the postmaster general, to receive the postage of letters, shall fraudulently demand or receive any rate of postage, or gratuity or reward, other than is provided by this act, for the postage of letters or packets, on conviction thereof he shall forfeit, for every such offence, one hundred dollars, and shall be rendered incapable of holding any office or appointment under the government of the United States.

SECT. 14. *And be it further enacted*, That no ship or vessel arriving at any port within the United States, where a post office is established, shall be permitted to report, make entry, or break bulk, until the master or commander shall have delivered to the postmaster all letters directed to any person or persons within the United States, or the territories thereof, which, under his care, or within his power, shall be brought in such ship or vessel, except such as are directed to the owner or consignee of the ship or vessel, and except also such as are directed to be delivered at the port of delivery to which such ship or vessel may be bound. And it shall be the duty of the collector, or other officer of the port, empowered to receive entries of ships or vessels, to require, from every master or commander of such ship or vessel, an oath or affirmation, purporting that *he has delivered all such letters, except as aforesaid*. And if any commander or master of any ship or vessel shall break bulk before he shall have complied with the requirements of this act, every such offender shall, on conviction thereof, forfeit, for every such offence, a sum not exceeding one hundred dollars.

SECT. 15. *And be it further enacted*, That the postmasters to whom such letters may be delivered, shall pay, to the master or

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commander, or other person delivering the same, except the commanders of foreign packets, two cents for each letter or packet, and shall obtain, from the person delivering the same, a certificate, specifying the number of letters and packets, with the name of the ship or vessel, and the place from whence she last sailed; which certificate, together with a receipt for the money, shall be, with his quarterly accounts, transmitted to the postmaster general, who shall credit him with the amount.

SECT. 16. *And be it further enacted*, That if any person, other than the postmaster general, or his deputies, or persons by them employed, shall be concerned in setting up, or maintaining, any foot or horse post, stage wagon, or other stage carriage, or sleigh, on any established post road, or from one post town to another post town, on any road adjacent or parallel to an established post road, or any packet boat or other vessel to ply regularly from one place to another, between which a regular communication by water shall be established by the United States, and shall receive any letter or packet, other than newspapers, magazines, or pamphlets, and carry the same by such foot or horse post, stage wagon, or other stage carriage, or sleigh, packet boat or vessel, (excepting only such letter or letters as may be directed to the owner or owners of such conveyance, and relating to the same, or to the person to whom any packet or bundle in such conveyance is intended to be delivered) every person so offending shall forfeit, for every such offence, the sum of fifty dollars: *Provided*, That it shall be lawful for any person to send letters or packets by a special messenger.

SECT. 17. *And be it further enacted*, That the deputy postmasters, and other agents of the postmaster general, shall duly account and answer to him, for all way letters which shall come to their hands; and, for this purpose, the post riders, and other carriers of the mail, receiving any way letter or letters (and it shall be their duty to receive them, if presented more than two miles from a post office) shall deliver the same, together with the postage, if paid, at the first post office to which they shall afterwards arrive, where the postmaster shall duly enter the same, and specify the number, and rate or rates, in the post bill, adding to the rate of each way letter one cent, which shall be paid by the postmaster to the mail carrier from whom such way letters shall be received. And that letters directed to persons living between post offices may be delivered, and the postage thereof duly collected, it shall be the duty of the carriers of the mail to take charge of, and deliver, all such letters as shall, for that purpose, be committed to them by any postmaster, and collect the postage thereof, which shall be paid over to such postmaster on demand. And for every letter so delivered, the mail carrier delivering the same shall be allowed to demand and receive two cents to his own use, besides the ordinary postage. And if any postmaster, or other agent of the postmaster general, shall neglect so to account, he or they so offending shall, on conviction thereof, forfeit, for every such offence, a sum not exceeding fifty dollars: *Provided*, That no mail carrier shall make such deliveries at any

ters, &c. to pay to the master delivering them, except, &c. two cents for each, and obtain a certificate specifying the number, &c. which, with a receipt, &c. being transmitted to the postmaster general, is to be passed to the credit of such postmasters. \$0 dolla. forfeit for any person's (except the postmaster general, &c.) being concerned in setting up, &c. any foot or horse post, &c. on any established post road, &c. or any packet boat, &c. and receiving and carrying thereby, any letter or packet, other than newspapers, magazines, &c. except letters to owners, &c.

*Proviso*; any person may send letters, &c. by a special messenger.

Deputy postmasters to account for way letters, &c.

Post riders, &c. receiving way letters, which it is their duty to do, if, &c. to deliver them, &c. at the first post office, where they are to be duly entered, &c. by the postmaster, who is to add to the rate of each one cent, to be paid to the mail carrier, &c.

Letters directed to persons living between post offices, to be taken charge of and delivered by the mail carriers; collect the postage, and pay it over, &c.

The mail carrier to receive two cents for his own use, besides ordinary postage, for every letter delivered between post offices.

Postmasters, &c. neglecting to account for way letters, to forfeit not exceeding \$0 dolla.

*Proviso*; mail carriers not to

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Letters of the post road. Provided, the receipt and delivery of way letters not required of mail carriers where income payable, &c.

Persons employed in any of the departments of the general post office, unlawfully detaining, delaying, &c. any letter, &c. intended to be conveyed by post, and not containing any security for, or assurance relating to, money, &c. to be fined, or imprisoned, or both, &c.

Persons employed in any of the departments of the general post office, and receiving, embezzling, or destroying, any letter, packet, &c. intended to be conveyed by post, containing any bank note, bill of exchange, warrant of the treasury, &c. &c. or stealing or taking any bank note, &c. &c. out of any letter, packet, &c. to be imprisoned not exceeding ten years.

Any person having taken charge of the mail, and quitting it, &c. before he delivers it at the termination of his route, &c. to pay not exceeding \$500 dollars.

Persons concerned in carrying the mail, colluding, receiving, or carrying any letter, &c. contrary to this act, to pay not exceeding \$50 dollars.

place not on the post road: *Provided also*, That the receipt and delivery of letters on the way, between post offices, shall not be required of the mail carriers, in cases where, in the opinion of the postmaster general, the time or manner of carrying the mail or the speed of conveyance, is incompatible with such receipt and deliveries.

SECT. 18. *And be it further enacted*, That if any person, employed in any of the departments of the general post office, shall unlawfully detain, delay, or open, any letter, packet, bag, or mail of letters, with which he shall be intrusted, or which shall have come to his possession, and which are intended to be conveyed by post, or if any such person shall secrete, embezzle, or destroy, any letter or packet intrusted to him as aforesaid, and which shall not contain any security for, or assurance relating to, money, as hereinafter described, every such offender, being thereof duly convicted, shall, for every such offence, be fined, not exceeding three hundred dollars, or imprisoned, not exceeding six months, or both, according to the circumstances and aggravations of the offence. And if any person, employed as aforesaid, shall secrete, embezzle, or destroy, any letter, packet, bag, or mail of letters, with which he shall be intrusted, or which shall have come to his possession, and are intended to be conveyed by post, containing any bank note or bank post bill, bill of exchange, warrant of the treasury of the United States, note of assignment of stock in the funds, letters of attorney for receiving annuities or dividends, or for selling stock in the funds, or for receiving the interest thereof, or any letter of credit, or note for or relating to payment of moneys, or any bond or warrant, draft, bill, or promissory note, covenant, contract, or agreement, whatever, for or relating to the payment of money, or the delivery of any article of value, or the performance of any act, matter, or thing, or any receipt, release, acquittance, or discharge, of or from any debt, covenant, or demand, or any part thereof, or any copy of any record of any judgment or decree, in any court of law or chancery, or any execution which may have issued thereon, or any copy of any other record, or any other article of value, or any writing representing the same; or if any such person, employed as aforesaid, shall steal or take any of the same out of any letter, packet, bag, or mail of letters, that shall come to his possession, he shall, on conviction, for any such offence, be imprisoned not exceeding ten years. And if any person who shall have taken charge of the mail of the United States shall quit or desert the same, before he delivers it into the post office kept at the termination of his route, or to some known mail carrier, or agent of the general post office authorized to receive the same, every such person, so offending, shall forfeit and pay a sum, not exceeding five hundred dollars, for every such offence. And if any person concerned in carrying the mail of the United States shall collect, receive, or carry, any letter or packet, or shall cause or procure the same to be done, contrary to this act, every such offender shall forfeit and pay, for every such offence, a sum not exceeding fifty dollars.

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Any person robbing the carrier, &c. of the mail, &c. to be imprisoned not exceeding ten years; if convicted a second time, or wounding the carrier with dangerous weapons the first time, to suffer death.

Persons attempting to rob the mail, by assaulting the person having custody of it, &c. to be imprisoned not exceeding three years.

Persons stealing the mail, or stealing from the mail, or from a post office, any letter or packet, &c. and opening, embazzling, &c. any such mail, letter, &c. containing any article of value, or evidence of debt, &c. or obtaining, by fraud, &c. any mail, letter, &c. containing any article of value, &c. from any person having the custody thereof, to be imprisoned not exceeding seven years.

Any person taking any letter or packet, not containing any article of value, &c. out of a post office, or opening any letter, &c. with design to obstruct correspondence, or pry into secrets, &c. &c. to pay not exceeding 500 dollars.

Any person ripping, cutting, &c. any portmanteau, valise, &c. used in the conveyance of any mail, &c. or loosening, or breaking, any staple, lock, chain, &c. belonging to the same, with intent to rob or steal, &c. to pay not exceeding 500 dollars, or be imprisoned, &c.

**SECT. 19.** *And be it further enacted,* That if any person shall rob any carrier of the mail of the United States, or other person intrusted therewith, of such mail, or of part thereof, such offender or offenders shall, on conviction, be imprisoned, not exceeding ten years, and, if convicted a second time of a like offence, he or they shall suffer death; or if, in effecting such robbery of the mail the first time, the offender shall wound the person having custody thereof, or put his life in jeopardy, by the use of dangerous weapons, such offender or offenders shall suffer death. And if any person shall attempt to rob the mail of the United States, by assaulting the person having custody thereof, shooting at him, or his horse, or mule, or threatening him with dangerous weapons, and the robbery is not effected, every such offender, on conviction thereof, shall be punished by imprisonment not exceeding three years. And if any person shall steal the mail, or shall steal or take from or out of any mail, or from or out of any post office, any letter or packet, or if any person shall take the mail, or any letter or packet therefrom, or from any post office, whether with or without the consent of the person having custody thereof, and shall open, embezzle, or destroy, any such mail, letter, or packet, the same containing any article of value, or evidence of any debt, due, demand, right, or claim, or any release, receipt, acquittance, or discharge, or any other article, paper, or thing, mentioned and described in the eighteenth section of this act, or if any person shall, by fraud or deception, obtain, from any person having custody thereof, any mail, letter, or packet, containing any article of value, or evidence thereof, or either of the writings referred to, or next abovementioned, such offender or offenders, on conviction thereof, shall be imprisoned not exceeding seven years. And if any person shall take any letter or packet, not containing any article of value, or evidence thereof, out of a post office, or shall open any letter or packet which shall have been in a post office, or in the custody of a mail carrier, before it shall have been delivered to the person to whom it is directed, with a design to obstruct the correspondence, to pry into another's business or secrets, or shall secrete, embezzle, or destroy, any such mail, letter, or packet, such offender, upon conviction, shall pay, for every such offence, a sum not exceeding five hundred dollars.

**SECT. 20.** *And be it further enacted,* That if any person shall rip, cut, tear, burn, or otherwise injure, any portmanteau, valise, or other bag, used, or designed to be used, by any person acting under the authority of the postmaster general, or any person in whom his powers are vested, in the conveyance of any mail, letter, packet, newspaper, or pamphlet, or shall draw, or break, any staple, or loosen any part of any lock, chain, or strap, attached or belonging to any such valise, portmanteau, or bag, with an intent to rob or steal any mail, letter, packet, newspaper, or pamphlet, or to render either of the same insecure, every such offender, upon conviction, shall, for every such offence, pay a sum not exceeding five hundred dollars, or be imprisoned not exceeding three years, at the discretion of the court before whom such conviction is had.

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Persons procuring, aiding, advising or assisting, in the perpetration of any of the acts or crimes by this act forbidden, &c. subject to the same penalties and punishments as the persons who actually perpetrate them, &c. Persons imprisoned by virtue of the 18th, 19th, 20th, or 21st sections of this act, to be kept at hard labor, &c. The postmasters to publish in one of the nearest newspapers, every three months, for three successive weeks, a list of letters remaining in their offices, or make out a number of lists, and cause them to be posted at public places in their vicinity, &c. At the expiration of six months, dead letters to be sent to the general post office to be opened and inspected. If any valuable papers, &c. are found in dead letters, the postmaster general is to return them to the writer, or cause a descriptive list to be inserted in a newspaper, &c.

Letters with valuable contents, not demanded within two years after advertisement, &c. the contents to be applied to the use of the United States, until reclaimed, &c.

Officers of the United States, and others, to and from whom letters and packets may be received and conveyed by post, free of postage.

In case of excess of weight, the excess alone to be paid for.

SECT. 21. *And be it further enacted,* That every person who, from and after the passage of this act, shall procure, aid, advise, or assist, in the doing or perpetration of any of the acts or crimes, by this act forbidden to be done or performed, shall be subject to the same penalties and punishments as the persons are subject to, who shall actually do or perpetrate any of said acts or crimes, according to the provision of this act.

SECT. 22. *And be it further enacted,* That every person who shall be imprisoned by a judgment of court, under and by virtue of the eighteenth, nineteenth, twentieth, or twenty-first, sections of this act, shall be kept at hard labor during the period of such imprisonment.

SECT. 23. *And be it further enacted,* That the postmasters shall, respectively, publish, at the expiration of every three months, or oftener, when the postmaster general shall so direct, in one of the newspapers published at or nearest the place of his residence, for three successive weeks, a list of all the letters remaining in their respective offices, or, instead thereof, shall make out a number of such lists, and cause them to be posted at such public places in their vicinity, as shall appear to them best adapted for the information of the parties concerned; and, at the expiration of the next three months, shall send such of the said letters as then remain on hand, as dead letters, to the general post office, where the same shall be opened and inspected; and if any valuable papers or matter of consequence shall be found therein, it shall be the duty of the postmaster general to return such letter to the writer thereof, or cause a descriptive list thereof to be inserted in one of the newspapers, published at the place most convenient to the supposed residence of the owner, if within the United States; and such letter, and the contents, shall be preserved, to be delivered to the person to whom the same shall be addressed, upon payment of the postage, and the expense of publication. And if such letter, with its contents, be not demanded by the person to whom it is addressed, or the owner thereof, or his lawful agent, within two years after the advertisement thereof as aforesaid, the said contents shall be applied to the use of the United States, until the same shall be reclaimed by the proprietor thereof. The manner of such application to be specially stated, by the postmaster general, to the secretary of the treasury.

SECT. 24. *And be it further enacted,* That letters and packets, to and from the following officers of the United States, shall be received and conveyed by post, free of postage. Each postmaster, provided each of his letters or packets shall not exceed half an ounce in weight; each member of the senate, and each member and delegate of the house of representatives of the congress of the United States, the secretary of the senate, and clerk of the house of representatives, provided each letter or packet shall not exceed two ounces in weight; and, during their actual attendance in any session of congress, and twenty days after such session; and, in case of excess of weight, that excess alone shall be paid for; the president of the United States; vice president;

the secretaries of state, of the treasury, of war, of the navy; the attorney general; the comptroller;\* treasurer, auditor, register; supervisor of the direct tax for the district of South Carolina; superintendent of Indian trade; purveyor; the inspector and paymaster of the army; accountants of the war and navy departments; postmaster general; and the assistants postmaster general; John Adams, a former president of the United States; and Thomas Jefferson, late president of the United States; and they may all receive their newspapers by post free of postage: *Provided*, That the members of the senate and house of representatives, secretary of the senate, and clerk of the house of representatives, shall receive their newspapers free of postage only during any session of congress, and twenty days after the expiration of the same: *And provided*, That no letter or packet from any public officer shall be conveyed by post, free of postage, unless he shall frank the same, by writing his name and office on the outside of such letter or packet, and until he has previously furnished the postmaster of the office where he shall deposite the same, with a specimen of his signature.

SECT. 25. *And be it further enacted*, That if any person shall frank letters other than those written by himself, or by his order, on the business of his office, he shall, on conviction thereof, pay a fine of ten dollars: *Provided*, That the secretary of the treasury, secretary of state, secretary of war, secretary of the navy, and postmaster general, may frank letters or packets on official business, prepared in any other public office, in the absence of the principal thereof. And if any person, having the right to receive his letters free of postage, shall receive, enclosed to him, any letter or packet addressed to a person not having that right, it shall be his duty to return the same to the post office, marking thereon the place from whence it came, that it may be charged with postage. And if any person shall counterfeit the hand writing or frank of any person, or cause the same to be done, in order to avoid the payment of postage, each person, so offending, shall pay, for every such offence, fifty dollars.

SECT. 26. *And be it further enacted*, That every printer of newspapers may send one paper to each and every other printer of newspapers, within the United States, free of postage, under such regulations as the postmaster general shall provide.

SECT. 27. *And be it further enacted*, That all newspapers conveyed in the mail shall be under cover, open at one end, and charged with a postage of one cent each, for any distance not more than one hundred miles, and one and an half cents for any greater distance:† *Provided*, That the postage of a single newspaper, from any one place to another in the same state, shall not exceed one cent; and that the postmaster general shall require those who receive newspapers by post, to pay always the amount of one quarter's postage in advance. If any person employed in any department of the post office shall improperly detain, delay, embezzle, or destroy, any newspaper, or shall permit any other person to do the like, or shall open, or permit any other to open, any mail or packet of newspapers, not directed to the office

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[\*The same privilege extended to the commissioner of the general land office. See sec. 11, chap. 391, post.]

[*Note*. The commissioner of the revenue, and superintendent general of military supplies, are also entitled to the privilege of franking, &c.] Newspapers free of postage to the officers, &c. mentioned.

*Proviso*; members of congress, secretary of the senate, and clerk of the house, to receive their newspapers free, &c. only during the session, and 30 days afterwards.

*Proviso*; no letter or packet from a public officer to be conveyed free, &c. unless he shall frank it, &c. If any person franks letters not written by himself, or by his order, &c. he is liable to a fine of 10 dolls.

*Proviso*; secretaries of departments, and the postmaster general, may frank letters, &c. Persons having the right, receiving enclosed any letter, &c. to persons not having the right, to receive letters free, &c. must return it to the post office, marking the place, &c. 50 dolls. penalty for counterfeiting a frank.

Printers of newspapers may send one paper to each other free, &c. Newspapers conveyed in the mail to be under cover, &c.

[†Increased 50 per cent. See sec. 3, ch. 698, post.] *Proviso*; postage of a single newspaper, from any one place to another in the same state, not to exceed one cent and one quarter's postage to be paid in advance.

Not exceeding 50 dolls. forfeit for delaying, embezzling, or destroying news-

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papers, &c. or opening, &c. any mail, &c. of newspapers, not directed to the office, by persons employed in any department of the post office; and any other person opening any mail, &c. of newspapers, or embezzling or destroying them, not being directed to himself, or not being authorized, &c. to pay not exceeding 30 dolls.

Persons taking or stealing any pack t. bag, &c. of newspapers, out of any post office, to be imprisoned, and kept at hard labor.

5 dolls. forfeit for concealing letters, &c. in newspapers to be carried by post, five, &c. and the letter, &c. is not to be delivered, &c. until the amount of single letter postage is paid for each article of which the package is composed.

No newspapers to be conveyed by post unless dried, &c.

The postmaster general may authorize mail contractors to carry newspapers, &c. either, &c.

When the mode of conveyance, &c. will admit, magazines, &c. may be transported in the mail at the rates mentioned.

(\* This sec. repealed, and supplied. See chap. 747, post.)

The postmaster general authorized to allow to postmasters a commission on moneys arising from postage of letters, &c. as may be adequate to their services, &c. *Proviso*: limitation of the amount of commissions to postmasters.

The compensation of postmasters who receive and despatch foreign mails may be augmented, &c.

where he is employed, he shall, on conviction thereof, forfeit a sum not exceeding fifty dollars for every such offence. And if any other person shall open any mail or packet of newspapers, or shall embezzle or destroy the same, not being directed to himself, or not being authorized to receive and open the same, he shall, on conviction thereof, pay a sum not exceeding twenty dollars for every such offence. And if any person shall take or steal any packet, bag, or mail, of newspapers from or out of any post office, or from any person having custody thereof, such person shall, on conviction, be imprisoned, not exceeding three months, for every such offence, to be kept at hard labor during the period of such imprisonment. If any person shall disclose, or conceal, a letter, or other thing, or any memorandum in writing, in a newspaper, or among any package of newspapers, which he shall have delivered into any post office, or to any person for that purpose, in order that the same may be carried by post, free of letter postage, he shall forfeit the sum of five dollars for every such offence; and the letter, newspaper, package, memorandum, or other thing, shall not be delivered to the person to whom it is directed until the amount of single letter postage is paid for each article of which the package shall be composed. No newspapers shall be received by the postmasters to be conveyed by post, unless they are sufficiently dried, and enclosed, in proper wrappers, on which, beside the direction, shall be noted the number of papers which are enclosed for subscribers, and the number for printers. The postmaster general, in any contract he may enter into for the conveyance of the mail, may authorize the person with whom such contract is to be made, to carry newspapers, magazines, and pamphlets, other than those conveyed in the mail. When the mode of conveyance, and the size of the mails, will admit of it, magazines and pamphlets may be transported in the mail at one cent a sheet, for any distance not exceeding fifty miles; at one cent and an half for any distance over fifty, and not exceeding one hundred, miles; and two cents for any greater distance.

SECT. 28.\* *And be it further enacted*, That the postmaster general be authorized to allow to the postmasters, respectively, such commission on the moneys arising from the postages of letters and packets as shall be adequate to their respective services and expenses: *Provided*, That the said commission shall not exceed thirty per cent. on the first hundred dollars collected in one quarter, and twenty-five per cent. on a sum over one hundred and not more than three hundred; and twenty per cent. on any sum over four hundred, and not exceeding two thousand, dollars; and eight per cent. on any sum collected, being over two thousand four hundred dollars; except to the postmasters who may be employed in receiving and despatching foreign mails, whose compensation may be augmented, not exceeding twenty-five dollars in one quarter; and excepting to the postmasters at offices where the mail is regularly to arrive, between the hours of nine o'clock at night and five o'clock in the morning, whose commission on the first hundred dollars collected in one quarter,

may be increased to a sum not exceeding fifty per cent. The postmaster general may allow to the postmasters, respectively, a commission of fifty per cent. on the moneys arising from the postage of newspapers, magazines, and pamphlets; and to the postmasters, whose compensation shall not exceed five hundred dollars in one quarter, two cents for every free letter delivered out of the office, excepting such as are for the postmaster himself; and each postmaster who shall be required to keep a register of the arrival and departure of the mails, shall be allowed ten cents for each monthly return which he makes thereof to the general post office.

SECT. 29. *And be it further enacted*, That if any postmaster, or other person authorized to receive the postage of letters and packets, shall neglect or refuse to render his accounts, and pay over, to the postmaster general, the balance by him due at the end of every three months, it shall be the duty of the postmaster general to cause a suit to be commenced against the person or persons so neglecting or refusing; and if the postmaster general shall not cause such suit to be commenced within six months from the end of every such three months, the balances due from every such delinquent shall be charged to, and recoverable from, the postmaster general. That all suits which shall be hereafter commenced for the recovery of debts, or balances, due to the general post office, whether they appear by bond or obligations made in the name of the existing or any preceding postmaster general, or otherwise, shall be instituted in the name of the "Postmaster General of the United States." That certified copies, under the seal of the general post office, of the accounts current of the several postmasters, after the same shall have been examined and adjusted at that office, shall be admitted as evidence in all suits brought by the postmaster general for the recovery of balances, or debts, due from postmasters; and, in like manner, copies of such accounts current as are lodged in the office of the register of the treasury, certified by the register, under the seal of his office, shall be admitted as evidence.

SECT. 30. *And be it further enacted*, That if any postmaster, or other person who shall receive and open, or despatch, mails, shall neglect to render accounts thereof for one month after the time, and in the form and manner prescribed by law, and by the postmaster general's instructions conformable therewith, he shall forfeit double the value of the postages which shall have arisen at the same office in any equal portion of time previous or subsequent thereto; or, in case no accounts shall have been rendered at the time of trial of such case, then such sum as the court and jury shall estimate equivalent thereto, to be recovered by the postmaster general in an action on the case.

SECT. 31. *And be it further enacted*, That all pecuniary penalties and forfeitures incurred under this act, shall be one-half for the use of the person or persons informing and prosecuting for the same, and the other half to the use of the United States.

SECT. 32. *And be it further enacted*, That it shall be lawful for the postmaster general to make provision, where it may be

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The postmaster general may allow postmasters a commission of 50 per cent. on moneys arising from postage of newspapers, &c. and two cents for every free letter delivered by postmaster, whose compensation does not exceed 500 dollars in a quarter, except, &c.

The postmaster general to cause suit to be commenced against postmasters, &c. authorized to receive postage, &c. and neglecting, &c. to account, &c.

If the postmaster general does not cause suit to be commenced within six months, &c. the balances due may be recovered from him. Suits commenced for the recovery of debts, &c. due to the general post office, &c. to be instituted in the name of the "Postmaster general of the United States;" and certified copies of accounts current of postmasters, &c. under the seal of the general post office or of the register of the treasury, to be admitted as evidence in suits brought, &c.

Postmasters, &c. neglecting to render accounts of the opening and despatching of mails, for one month, &c. to forfeit, double, &c.

In case no account has been rendered, &c. the court and jury to estimate the sum, to be recovered by action on the case, &c.

A moiety, &c. for the use of the informer, &c.

The postmaster general may make provision,



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for the receipt of letters, &c. to be conveyed beyond sea, &c. the letters, &c. to be formed into a mail, sealed, &c. One cent postage for the use of the postmaster, &c. The postmaster general may make arrangements, &c. Postmasters, and persons employed in the transportation of the mail, to be exempt from militia duties, and the serving on juries, &c. Letter carriers to be employed at post offices, &c. The letter carrier to receive 3 cents for each letter delivered, &c. *Provided*, no letter to be delivered to the carrier, &c. if a written request be lodged at the office to detain it. One cent to the postmaster for every letter delivered at the post office where it is lodged, &c.

Causes of action under this act, and offenders against it, may be sued and prosecuted before justices of the peace, &c. of the several states, &c. having competent jurisdiction by the laws of such states, &c. The justices, &c. to take cognizance, &c.

In all suits, &c. under this act, the court to proceed to trial, and render judgment the first term, &c. *Provided*, when service of the process has not been made 30 days before the return day, &c. the defendant is entitled to one continuance, if the court, &c. *Provided*: if the defendant makes affidavit, &c. and specifies the claim, &c. the court being satisfied, may grant a continuance.

necessary, for the receipt of all letters and packets intended to be conveyed by any ship or vessel beyond sea, or from any port in the United States, to another port therein; and the letters so received shall be formed into a mail, sealed up, and directed to the postmaster of the port to which such ship or vessel shall be bound. And for every letter or packet so received, there shall be paid, at the time of its reception, a postage of one cent, which shall be for the use of the postmasters, respectively, receiving the same. And the postmaster general may make arrangements with the postmasters in any foreign country, for the reciprocal receipt and delivery of letters and packets through the post offices.

SECT. 33. *And be it further enacted*, That the postmasters, and the persons employed in the transportation of the mail, shall be exempt from militia duties, and serving on juries, or any fine or penalty for neglect thereof.

SECT. 34. *And be it further enacted*, That letter carriers shall be employed at such post offices as the postmaster general shall direct, for the delivery of letters in the places, respectively, where such post offices are established; and, for the delivery of each such letter, the letter carrier may receive, of the person to whom the delivery is made, two cents: *Provided*, That no letter shall be delivered to such letter carrier for distribution, addressed to any person who shall have lodged at the post office a written request that his letters shall be detained in the office. And for every letter lodged at any post office, not to be carried by post, but to be delivered at the place where it is to be so lodged, the postmaster shall receive one cent of the person to whom it shall be delivered.

SECT. 35. *And be it further enacted*, That all causes of action arising under this act may be sued, and all offenders against this act may be prosecuted, before the justices of the peace, magistrates, and other judicial courts, of the several states, and of the several territories of the United States, they having competent jurisdiction, by the laws of such states or territories, to the trial of claims and demands of as great value, and of the prosecutions where the punishments are of as great extent; and such justices, magistrates, or judiciary, shall take cognizance thereof, and proceed to judgment and execution, as in other cases.

SECT. 36. *And be it further enacted*, That in all suits or causes arising under this act, the court shall proceed to trial, and render judgment, the first term after such suit shall be commenced: *Provided always*, That whenever service of the process shall not have been made twenty days, at least, previous to the return day of such term, the defendant shall be entitled to one continuance, if the court, on the statement of such defendant, shall judge it expedient: *Provided also*, That if the defendant in such suits shall make affidavit that he has a claim against the general post office, not allowed by the postmaster general, although submitted to him conformably to the regulations of the post office, and shall specify such claim in the affidavit, and that he could not be prepared for the trial at such term for want of evidence, the court, in such case, being satisfied in those respects, may grant a continuance until the next succeeding term.

**SECT. 37.** *And be it further enacted,* That it shall be the duty of the postmaster general to report, annually, to congress, every post road which shall not, after the second year from its establishment, have produced one-third of the expense of carrying the mail on the same.

**SECT. 38.** *And be it further enacted,* That there shall be allowed to the deputy postmaster at the city of Washington, for his extraordinary expenses, incurred in the discharge of the duties of his office, an additional compensation, at the rate of one thousand dollars per annum, to be paid out of the funds of the post office establishment.

**SECT. 39.** *And be it further enacted,* That the adjutant general of the militia of each state and territory shall have right to receive, by mail, free of postage, from any major or brigadier general thereof, and to transmit to said generals, any letter or packet, relating solely to the militia of such state or territory: *Provided always,* That every such officer, before he delivers any such letter or package for transmission, shall, in his own proper hand writing, on the outside thereof, endorse the nature of the papers enclosed, and thereto subscribe his name and office, and shall previously furnish the postmaster of the office where he shall deposite the same, with a specimen of his signature: And if any such officer shall frank any letter or package in which shall be contained any thing relative to any subject other than of the militia of such state or territory, every offender shall, on conviction of every such offence, forfeit and pay a fine of fifty dollars.

**SECT. 40.** *And be it further enacted,* That, from and after the thirtieth day of September next, whenever the annual emoluments of any postmaster, after deducting therefrom the expenditures incident to his office, shall amount to more than two thousand dollars, the surplus shall be accounted for, and paid to the postmaster general, and by him to be accounted for in the same manner as other moneys accruing from the post office establishment.

**SECT. 41.** *And be it further enacted,* That every deputy postmaster, the receipt of whose office exceeds one thousand dollars a year, shall, on the last day of September, in each year, transmit to the postmaster general of the United States a statement of the expenses of the office under his direction, of the number of clerks, with the time they have been severally employed therein, and their respective names and ages.

**SECT. 42.** *And be it further enacted,* That, from and after the first day of June next, the second section of an act, entitled "An act to establish the post office and post roads within the United States,"\* approved on the eighth day of May, one thousand seven hundred and ninety-four, and an act, entitled "An act to establish the post office of the United States,"† approved on the second day of March, one thousand seven hundred and ninety-nine, and all other acts, and parts of acts, heretofore passed for the regulation and government of the general post office, and of the postmaster general, and other officers and agents, employed in said office, shall be, and the same are hereby, repealed: *Pro-*

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The postmaster general to report to congress post roads that have not, &c. produced one-third of the expense, &c. 1,000 dols. per ann. allowed to the postmaster at the city of Washington for his extraordinary expenses, &c. out of the post office funds.

The adjutant general of militia of each state and territory may receive and transmit, by mail, free, &c. from and to, a major or brigadier general, any letter, &c. relating solely to the militia, &c. *Provided;* the militia officer to endorse his letters, &c. stating the nature of the papers enclosed, &c. and furnish the postmaster with a specimen of his signature. 50 dols. fine for militia officers' franking any letter, &c. containing any thing relating to any other subject than the militia, &c.

After the 30th Sept. 1810, when the annual emoluments of a postmaster, after deducting, &c. amount to more than 2,000 dols. the surplus is to be accounted for, &c. Deputy postmasters, the receipts of whose offices exceed 1,000 dols. a year, to transmit, on the 30th Sept. annually, to the postmaster general, a statement of office expenses, the number of clerks, &c. After the 1st June, 1810, the 2d sec. of the act, and the act mentioned, &c. relative to the post office of the United States, repealed. [\* Ch. 199, vol. 2.] [† Ch. 149, vol. 3.]

*Provided;* the act concerning pub-

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no contracts to remain in force, and no post road, &c. to be discontinued by this act.

[\* Ante, ch. 122.]  
 Proviso: nothing herein contained to exon. any person who has not performed his duty, or who has violated any of the prohibitions, contained in the acts repealed.

Proviso: the postmaster general, assistant postmaster general, deputy postmasters, &c. to continue to hold their several offices, &c.

Bonds given for the faithful execution of duties and offices to continue to have force and effect, &c.

vided, That an act, entitled "An act concerning public contracts,"\* approved on the twenty-first day of April, one thousand eight hundred and eight, shall be and remain in full force, and no post road heretofore established shall be discontinued by this act: *Provided also*, That nothing herein contained shall be construed to exonerate any person who shall not have performed the duty, or who shall have violated any of the prohibitions, contained in the said acts, from suits or prosecutions, but as to all bonds, contracts, debts, demands, rights, penalties, punishments, which have been made, have arisen, or have been incurred, or which shall be made, arise, or be incurred, previous to the first day of June next, the said acts shall have the same force and effect as though this act had not been made: *Provided, likewise*, That the postmaster general, assistant postmaster general, deputy postmasters, contractors for carrying the mail, and others employed under the aforesaid acts, shall continue to hold their several offices, appointments, and trusts, until they are otherwise removed, any thing herein contained, that might be construed to the contrary, notwithstanding; and also the bonds which they, or either of them, have given, or may give, for the faithful execution of their several duties and offices, shall continue to have the same force and effect, to all intents and purposes, as though this act had not been made. [Approved, April 30, 1810.]

[† Obsolete. See orig. act. of 26th March, 1810; ante, chap. 242.]

CHAP. 263. [LV.] An act further to alter and amend "An act providing for the third census, or enumeration of the inhabitants of the United States."†

So much of the first section of the act providing for the third census, &c. as relates to the forms of the oaths, repealed. [† Ante, ch. 242.]

The oaths, &c. &c. to be in the forms stated. Form of the marshals' and secretaries' oath.

Form of the assistants' oath.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That so much of the first section of the act, passed during the present session of congress, entitled "An act providing for the third census, or enumeration of the inhabitants of the United States,"† as relates to the forms of the oaths or affirmations thereby directed to be taken by the marshals, secretaries, and assistants, therein mentioned, respectively, shall be, and hereby is, repealed, and that the said oaths or affirmations shall be in the following forms, that is to say: The marshals' and secretaries' oath in the form following: "*I, A B, marshal of the district of* (or *secretary of the territory of* as the case may be, *do solemnly swear or affirm, that I will well and truly cause to be made a just and perfect enumeration and description of all persons resident within my district (or territory,) and return the same to the secretary of state, agreeably to the directions of the several acts of congress providing for the third census or enumeration of the inhabitants of the United States, according to the best of my ability.*" And the assistants' oath or affirmation, in the form following: "*I, A B, do solemnly swear or affirm, that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me for that purpose, by the marshal of* (or *the secretary of the territory of* as the case may be,) *and make due return thereof*

*to the said marshal (or secretary) agreeably to the directions of the several acts of congress providing for the third census, or enumeration of the inhabitants of the United States; according to the best of my ability."*\*

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**SECT. 2.** *And be it further enacted,* That it shall be the duty of the several marshals, secretaries, and their assistants, aforesaid, at the time for taking the census or enumeration aforesaid, to take, under the direction of the secretary of the treasury, and according to such instructions as he shall give, an account of the several manufacturing establishments and manufactures within their several districts, territories, and divisions. The said assistants shall make return of the same to the marshals or secretaries of their respective districts or territories, and the said marshals and secretaries shall transmit the said returns, and abstracts thereof, to the secretary of the treasury, at the same times at which they are, by this act, and the several acts to which this act is an addition, required, respectively, to make their return of said enumeration to the secretary of state; for the performance of which additional services they shall, respectively, receive such compensation as shall hereafter be provided by law.

[\* See chap. 311, post.]

The marshals, &c. at the time of taking the census, &c. to take, under the direction of the secretary of the treasury, &c. an account of manufacturing establishments, &c. The assistants to make returns to the marshals, &c. and the marshals, &c. to transmit the returns, &c. to the secretary of the treasury, &c.

Compensation for the additional services to be provided by law.

[† See chap. 321, post.]

[Approved, May 1, 1810.]

**CHAP. 264.** [LVI.] An act concerning the commercial intercourse between the United States and Great Britain, and France, and their dependencies, and for other purposes.†

[† Repealed, &c. See act of 14th April, 1814; chap. 644, post.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the passage of this act, no British or French armed vessel shall be permitted to enter the harbors or waters under the jurisdiction of the United States; but every British and French armed vessel is hereby interdicted, except when they shall be forced in by distress, by the dangers of the sea, or when charged with despatches or business from their government, or coming as a public packet for the conveyance of letters; in which cases, as well as in all others, when they shall be permitted to enter, the commanding officer shall immediately report his vessel to the collector of the district, stating the object or causes of his entering the harbors or waters of the United States; and shall take such position therein as shall be assigned him by such collector, and shall conform himself, his vessel, and crew, to such regulations respecting health, repairs, supplies, stay, intercourse, and departure, as shall be signified to him by the said collector, under the authority and directions of the president of the United States; and, not conforming thereto, shall be required to depart from the United States.

After the 1st May, 1810, no British or French armed vessel to be permitted to enter the waters under the jurisdiction of the United States, but are interdicted, except when forced in by distress, by the dangers of the sea, &c. When permitted to enter, the commanding officer to report his vessel to the collector, stating the object, &c. take the position assigned, &c. and conform to regulations, &c. and, in case of not conforming, &c. to be required to depart.

**SECT. 2.** *And be it further enacted,* That all pacific intercourse with any interdicted foreign armed vessels, the officers, or crew, thereof, is hereby forbidden; and if any person shall afford any aid to such armed vessel, either in repairing her, or in furnishing her, her officers, or crew, with supplies of any kind, or in

Pacific intercourse with interdicted foreign armed vessels, &c. forbidden. Persons affording aid to any interdicted foreign

1810. any manner whatsoever, or if any pilot shall assist in navigating the said armed vessel, contrary to this prohibition, unless for the purpose of carrying her beyond the limits and jurisdiction of the United States, the person or persons so offending, shall be liable to be bound to their good behavior, and shall, moreover, forfeit and pay a sum not exceeding two thousand dollars, to be recovered upon indictment or information, in any court of competent jurisdiction; one moiety thereof to the treasury of the United States, and the other moiety to the person who shall give information and prosecute the same to effect: *Provided*, That if the prosecution shall be by a public officer, the whole forfeiture shall accrue to the treasury of the United States.

SECT. 3. *And be it further enacted*, That all the penalties and forfeitures which may have been incurred under the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,"\* and also all the penalties and forfeitures which may have been incurred under the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or under any of the several acts supplementary thereto, or to enforce the same, or under the acts to interdict the commercial intercourse between the United States and Great Britain, and France, and their dependencies, and for other purposes, shall be recovered and distributed, and may be remitted, in the manner provided by the said acts, respectively, and in like manner as if the said acts had continued in full force and effect.

armed vessels, &c. or pilots assisting to navigate them contrary to prohibition, unless for carrying them beyond the limits of the United States, liable to be bound to good behavior, and to pay not exceeding 2,000 dollars, to be recovered upon indictment, &c. A moiety of the forfeiture to the person who informs and prosecutes, &c. *Provided*, if the prosecution is by a public officer, the whole forfeiture accrues to the treasury. Penalties and forfeitures incurred under the act to interdict commercial intercourse, &c. and under the act laying an embargo, &c. to be recovered and distributed, and may be remitted, &c. [<sup>\*</sup> Ante, ch. 195.]

In case either Great Britain or France, before the 3d of March, 1811, so revoke or modify her edicts, as that they cease to violate the neutral commerce of the United States, the president to declare the fact by proclamation, and the other nation not also revoking in three months, the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 18th, sections of the act to interdict commercial intercourse, after the expiration of three months, &c. to be revived, &c. [<sup>†</sup> Ante, ch. 195.] The restrictions imposed by this act to cease, from the date of the proclamation, in relation to the nation revoking, &c. [<sup>‡</sup> See chap. 306, post.]

SECT. 4. *And be it further enacted*, That, in case either Great Britain or France shall, before the third day of March next, so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, which fact the president of the United States shall declare by proclamation, and if the other nation shall not, within three months thereafter, so revoke or modify her edicts, in like manner, then the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, and eighteenth, sections of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain, and France, and their dependencies, and for other purposes,"† shall, from and after the expiration of three months from the date of the proclamation aforesaid, be revived, and have full force and effect, so far as relates to the dominions, colonies, and dependencies, and to the articles the growth, produce, or manufacture, of the dominions, colonies, and dependencies, of the nation thus refusing or neglecting to revoke or modify her edicts in the manner aforesaid. And the restrictions imposed by this act shall, from the date of such proclamation, cease and be discontinued in relation to the nation revoking or modifying her decrees in the manner aforesaid.‡ [*Approved, May 1, 1810.*]

[NOTE. In consequence of the preceding act, M. Champagny, duke of Cadore, French minister for foreign affairs, addressed, under date of the 5th of August, 1810, an official note to John Armstrong, the minister plenipotentiary of the United States at Paris, declaring that the decrees of Berlin and Milan were revoked, and that, after the 1st of November, 1810, they would

CHAP. 267. [LVII.] An act confirming the decisions of the commissioners in favor of the claimants of land in the district of Kaskaskia.

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SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That all the decisions made by the commissioners appointed for the purpose of examining the claims of persons claiming lands in the district of Kaskaskia, in favor of such claimants, as entered in the transcript of decisions bearing date the thirty-first day of December, eighteen hundred and nine, which have been transmitted by the said commissioners to the secretary of the treasury, according to law, be, and the same are hereby, confirmed.

[Approved, May 1, 1810.]

All the decisions made by the commissioners appointed for the purpose of examining claims to land in the district of Kaskaskia, in favor of the claimants, &c. bearing date the 31st Dec. 1809, &c. confirmed.

CHAP. 268. [LVIII.] An act making further appropriations for completing the capitol, and for other purposes.\*

[\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, in addition to the appropriations heretofore made, the following sums of money be, and the same are hereby, appropriated, to be applied, under the direction of the president of the United States, to the purposes hereinafter mentioned; that is to say:

Additional sums appropriated to the objects mentioned

For sculpture, and warming and ventilating the chamber, of the house of representatives, seven thousand five hundred dollars.

For sculpture, &c. of the house of representatives.

For defraying the expense of completing the court room, and the offices of the judiciary, on the east side, completing the senate chamber, and stopping the leaks in the roof of the north wing of the capitol, twenty thousand dollars.

For completing the court room, &c. the senate chamber, &c.

For repairs to the president's house and offices, five thousand dollars.

For repairs to the president's house, &c.

SECT. 2. *And be it further enacted,* That it be the duty of the superintendent of the city of Washington, prior to any farther advances of money being made, to call for all claims now due on account of materials furnished, or work done, in the public buildings, in order that the same may be liquidated and paid.

The superintendent of the city of Washington to call for claims due, &c. on account of the public buildings, &c.

SECT. 3. *And be it further enacted,* That the several sums of money hereby appropriated, shall be paid out of any money in the treasury, not otherwise appropriated. [Approved, May 1, 1810.]

The sums appropriated to be paid out of unappropriated money in the treasury.

CHAP. 269. [LIX.] An act allowing compensation to Robert Robinson.†

[† Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That there shall be paid, out of the treasury of the United States, out of any moneys therein, not otherwise appropriated, the sum of five hundred dollars, to Robert Robinson, in full compensation

500 dollars to be paid out of the treasury, to Robert Robinson, in full, for extra

cease to have effect. Upon this assurance, the president of the United States, on the 2d of November, 1810, issued a proclamation announcing the fact, thereby giving effect to the provisions of the 4th section of the foregoing act.]

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services, as clerk  
to the board of  
commissioners at  
Kaskaskias, &c.

for his extra services as clerk to the board of commissioners at Kaskaskias, and as interpreter and transcriber of the different languages, and as agent to the board, and for conveying the report of the commissioners to the seat of the government of the United States. [Approved, May 1, 1810.]

CHAP. 270. [LX.] An act making appropriations for carrying into effect certain Indian treaties

1,750 dolls. annually, appropriated for carrying into effect the treaty of Fort Wayne, of the 30th Sept. 1809, with the Indian tribes mentioned. [\*S. e the treaty, page 419, vol. 1.]

The annuities to be permanent. 500 dolls. annually, for three years, appropriated for carrying into effect a separate article, &c. with the Miami and Eel river tribes. [† See the article, page 431, vol. 1.] Further annuity of 200 dolls. to the Miami tribe; and 100 dolls. each to the Wea and Eel river tribes, &c. 1,500 dolls. and a permanent annuity of 300 dolls. to the Wea tribe, in pursuance of the treaty of Fort Wayne, of the 25th of Oct. 1809. [‡ See the treaty, page 433, vol. 1.] A permanent annuity of 500 dolls. appropriated for the Kickapoo tribe, in pursuance of the treaty of Vincennes, of the 9th of Dec. 1809. [§ See the treaty, page 433, vol. 1.] The sum appropriated by this act to be paid out of unappropriated money in the treasury.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for the purpose of carrying into effect a treaty between the United States and the Delaware, Pattawatima, Miami, and Eel river, tribes of Indians, concluded at Fort Wayne, on the thirtieth day of September, one thousand eight hundred and nine,\* the sum of one thousand seven hundred and fifty dollars is hereby appropriated, to be paid to the said tribes annually; as follows:

To the Delawares, five hundred dollars:

To the Miamis, five hundred dollars:

To the Eel river tribe, two hundred and fifty dollars:

To the Pattawatimas, five hundred dollars:

Which several annuities shall be permanent.

SECT. 2. *And be it further enacted, That,* for carrying into effect a separate article, entered into between the United States and the Miamis and Eel river tribes of Indians, at Fort Wayne, on the thirtieth of September, one thousand eight hundred and nine,† the sum of five hundred dollars, annually, is hereby appropriated, for the term of three years, and no longer. And a further annuity of two hundred dollars to the Miamis tribe of Indians; and to the Wea and Eel river tribes a further annuity of one hundred dollars each, which shall be permanent.

SECT. 3. *And be it further enacted, That,* for carrying into effect a treaty concluded at Fort Wayne, (b) on the twenty-sixth day of October, one thousand eight hundred and nine,‡ between the United States and the Wea tribe of Indians, the sum of one thousand five hundred dollars is hereby appropriated, and a further sum of three hundred dollars, annually; which annuity shall be permanent.

SECT. 4. *And be it further enacted, That,* for carrying into effect a treaty concluded at Vincennes, on the ninth day of December, one thousand eight hundred and nine,§ between the United States and the Kickapoo tribe of Indians, the sum of five hundred dollars is hereby appropriated, to be paid, annually, to the said tribe; which annuity shall be permanent.

SECT. 5. *And be it further enacted, That* the several sums appropriated by this act, shall be paid out of any money in the treasury, not otherwise appropriated. [Approved, May 1, 1810.]

(b) This is an error: it ought to be Vincennes. See page 422, vol. 1.

CHAP. 271. [LXI.] An act fixing the compensation of public ministers, and of consuls residing on the coast of Barbary, and for other purposes.

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SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States shall not allow to any minister plenipotentiary a greater sum than at the rate of nine thousand dollars per annum, as a compensation for all his personal services and expenses; nor to any charge des affaires, a greater sum than at the rate of four thousand five hundred dollars per annum, as a compensation for all his personal services and expenses; nor to the secretary of any legation or embassy to any foreign country, or secretary of any minister plenipotentiary, a greater sum than at the rate of two thousand dollars per annum, as a compensation for all his personal services and expenses; nor to any consul who shall be appointed to reside at Algiers, a greater sum than at the rate of four thousand dollars per annum, as a compensation for all his personal services and expenses; nor to any other consul who shall be appointed to reside at any other of the states on the coast of Barbary, a greater sum than at the rate of two thousand dollars per annum, as a compensation for all his personal services and expenses; nor shall there be appointed more than one consul for any one of the said states: Provided, It shall be lawful for the president of the United States to allow to a minister plenipotentiary, or charge des affaires, on going from the United States to any foreign country, an outfit, which shall in no case exceed one year's full salary of such minister or charge des affaires; but no consul shall be allowed an outfit in any case whatever, any usage or custom to the contrary notwithstanding.*

SECT. 2. *And be it further enacted, That to entitle any charge des affaires, or secretary of any legation or embassy to any foreign country, or secretary of any minister plenipotentiary, to the compensation hereinbefore provided, they shall, respectively, be appointed by the president of the United States, by and with the advice and consent of the senate; but in the recess of the senate, the president is hereby authorized to make such appointments, which shall be submitted to the senate at the next session thereafter, for their advice and consent; and no compensation shall be allowed to any charge des affaires, or any of the secretaries hereinbefore described, who shall not be appointed as aforesaid: Provided, That nothing herein contained shall be construed to authorize any appointment of a secretary to any charge des affaires, or to any consul residing on the Barbary coast, or to sanction any claim against the United States for expense incident to the same, any usage or custom to the contrary notwithstanding.*

SECT. 3. *And be it further enacted, That where any sum or sums of money shall be drawn from the treasury, under any law making appropriation for the contingent expenses of intercourse between the United States and foreign nations, the president shall be, and he hereby is, authorized to cause the same to be duly settled, annually, with the accounting officers of the treasury, in the manner following, that is to say: By causing the same to be*

The president not to allow to any minister plenipotentiary more than at the rate of 9,000 dollars per annum, &c.  
Nor to a charge des affaires more than 4,500 dollars per annum, &c.  
Nor to a secretary of legation, &c. or secretary of a minister plenipotentiary, more than 2,000 dollars per annum, &c.  
Nor to a resident consul at Algiers, more than 4,000 dollars per annum, &c.  
Nor to any other resident consul on the coast of Barbary, more than 2,000 dollars per annum, &c.  
Not more than one outfit to any Barbary state.  
Provido; the outfit of a minister plenipotentiary, or charge des affaires, not to exceed one year's salary.  
No consul to be allowed an outfit, &c.  
Any charge des affaires, secretary of legation, or secretary of a minister, &c. to be entitled to the compensation provided, must be appointed by the president, by and with the advice and consent of the senate.  
In the recess of the senate, the president may make the appointments, as be submitted at the next session, &c.  
Provido; nothing herein to authorize any appointment of a secretary to a charge des affaires, or to a consul on the Barbary coast, &c.

Money drawn from the treasury, under any law making appropriation for contingent expenses of foreign intercourse, the president is to cause the same to be accounted for, annually,



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with the accounting officers of the treasury, specially, if the expenditure may be made public, and by certificate, if not advisable to specify, &c. A consul on the Barbary coast is not to expend, &c. for any purpose not authorized by law, to any of the Barbary powers, &c. with intent to charge the United States, a greater sum than 3,000 dollars in one year, without first obtaining the special written approbation of the president. Every consul who, after notice of this act, expends, &c. for any purpose not authorized by law, to any Barbary power, &c. more than 3,000 dollars in one year, &c. without the president's approbation, to forfeit one-half his yearly compensation, and be charged with the moneys paid, &c.

After the 1st of Nov. 1810, no consul residing on the Barbary coast to own, &c. any vessel, to be concerned in the importation or exportation of any goods, &c. into, or from, the Barbary states, under penalty of forfeiting 1,000 dollars.

Consuls residing on the Barbary coast to transmit to the secretary of the treasury, annually, an account of moneys received and disbursed for the United States, &c. with vouchers, &c.

The secretary of the treasury to transmit to congress, &c. every year, a statement of moneys disbursed for expenses of intercourse with the Barbary powers, &c. noting, &c. The act in addition to the law concerning consuls, &c. repealed.

[\* Ch. 19, vol. 3.]

accounted for, specially, in all instances wherein the expenditure thereof may, in his judgment, be made public, and by making a certificate of the amount of such expenditures as he may think it advisable not to specify; and every such certificate shall be deemed a sufficient voucher for the sum or sums therein expressed to have been expended.

SECT. 4. *And be it further enacted*, That it shall not be lawful for the consuls of the United States, residing on the Barbary coast, or either of them, to expend, or to disburse, or pay, or cause to be paid, for any purpose, or on any pretence whatever, not authorized by law, to any one of the Barbary powers, or to the officers or subjects thereof, a greater sum than three thousand dollars in any one year, with intent to charge the United States with the same, without first obtaining a special approbation, in writing, from the president of the United States, for that purpose. And every such consul who shall, after notice of this act, expend or disburse, or pay, or cause to be paid, for any purpose, or on any pretence whatever, not authorized by law, to any one of the Barbary powers, or to the officers or subjects thereof, a greater sum than three thousand dollars in any one year, or shall be aiding or assisting therein, without first obtaining the approbation of the president as aforesaid, shall forfeit and pay to the treasury of the United States a sum equal to one-half his yearly compensation: and shall, moreover, stand charged with, and be accountable for, all moneys so disbursed or paid, contrary to the provisions of this act.

SECT. 5. *And be it further enacted*, That, from and after the first day of November next, no consul of the United States residing on the Barbary coast shall own, in whole or in part, any ship or vessel, to be concerned, directly or indirectly, in the exportation from, or importation to, any of the states on the coast of Barbary, of any goods, wares, or merchandise, on penalty that every consul so offending, and being thereof convicted, shall, for every offence, forfeit a sum not exceeding one thousand dollars.

SECT. 6. *And be it further enacted*, That it shall be the duty of the consuls residing on the Barbary coast to transmit to the secretary of the treasury, annually, an account of all moneys received, and of all disbursements or expenditures made, by them, respectively, for or on account of the United States, and the particular purpose to which the moneys have been applied, and the vouchers to support the same: and the secretary of the treasury shall transmit to congress, within two months after the commencement of the first session thereof, in every year, a statement of all the moneys disbursed from the treasury of the United States, for expenses of intercourse with the Barbary powers during the preceding year, therein noting, as far as can be ascertained at the treasury, the sums received by the respective agents or consuls, and the purposes to which the same have been applied.

SECT 7. *And be it further enacted*, That the act, entitled "An act in addition to the law of the United States concerning consuls and vice consuls,"\* approved July sixth, one thousand seven hundred and ninety-seven. and the act, entitled "An act to

ascertain the compensation of public ministers,"\* approved May 1810, the tenth, one thousand eight hundred, be, and the same are hereby, repealed. [Approved, May 1, 1810.]

\* Chap 210, vol. 3.]

CHAP. 272. [LXII.] An act authorizing a loan of money, for a sum not exceeding the amount of the principal of the public debt reimburseable during the year one thousand eight hundred and ten.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, empowered to borrow, on the credit of the United States, a sum not exceeding the amount of the principal of the public debt which will be reimbursed, according to law, during the present year, by the commissioners of the sinking fund, at a rate of interest, payable quarter yearly, not exceeding six per centum per annum, and reimburseable at the pleasure of the United States, or at such period as may be stipulated by contract, not exceeding six years from the first day of January next; to be applied, in addition to the moneys now in the treasury, or which may be received therein from other sources during the present year, to defray any of the public expenses which are, or may be, authorized by law. The stock thereby created shall be transferable, in the same manner as is provided by law for the transfer of the funded debt.† It shall be lawful for the bank of the United States to lend the said sum, or any part thereof;‡ and it is further hereby declared, that it shall be deemed a good execution of the said power to borrow, for the secretary of the treasury, with the approbation of the president of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed, or for any part thereof, bearing an interest of six per cent. per annum, transferable and reimburseable as aforesaid; and to cause the said certificates of stock to be sold: *Provided*, That no such stock be sold under par.

SECT. 2 *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to give the preference, in the subscriptions which may be made to the loan authorized by this act, to the holders of the exchanged six per cent. stock, created by virtue of the second section of the act passed on the eleventh day of February, one thousand eight hundred and seven,§ for an amount not exceeding, for each such stockholder, the amount of the said exchanged six per cent. stock held by him at the time of subscribing as aforesaid: *Provided*, That the holders of the said stock, who may be desirous to subscribe to the said loan, shall notify the same in the manner, and within the time, to be designated by public notice, for that purpose, by the secretary of the treasury, with the approbation of the president of the United States: *And provided also*, That the sum which may be thus borrowed from the holders of the said exchanged six

The president empowered to borrow not exceeding the amount of the principal of the public debt to be reimbursed, during the year 1810, by the commissioners of the sinking fund, at a rate of interest not exceeding six per cent. per ann. reimburseable at the pleasure of the United States, or at stipulated periods, &c. The sum to be borrowed to be applied to defray any authorized public expenses.

[† See chap. 61. vol. 2.]

[‡ See page 108, vol. 2.]

It is a good execution of the power to borrow, for the secretary of the treasury, with the president's approbation, to cause certificates of stock, &c. to be constituted and sold. *Provided*, no stock to be sold under par.

The secretary of the treasury authorized, &c. to give the preference to the holders of exchanged six per cent. stock, &c. [§ See ante, ch. 67.]

*Provided*, the holders of the stock, who may wish to subscribe to the loan, must notify the same, in the manner, and within the time, to be designated, &c. by the secretary of the treasury, &c. *Provided*, the sum borrowed from the holders of exchanged six per cent. stock to be reimburseable at the pleasure of the United States.

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per cent. stock shall be reimbursable at the pleasure of the United States.

So much of the funds constituting the annual appropriation of \$2,000,000 of dollars for the payment of principal and interest of the public debt, as may be wanted, &c. hereby pledged for the payment of the interest and principal of the stock created by virtue of this act; and the commissioners of the sinking fund to cause to be applied and paid out of the fund, the sums annually required, &c.

The faith of the United States pledged to establish sufficient revenues for making up any deficiency that may take place in the funds appropriated, &c.

SECT. 3. *And be it further enacted*, That so much of the funds constituting the annual appropriation of eight millions of dollars for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, is hereby pledged and appropriated for the payment of the interest and for the reimbursement of the principal, of the stock which may be created by virtue of this act. It shall, accordingly, be the duty of the commissioners of the sinking fund, to cause to be applied and paid, out of the said fund, yearly, and every year, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal, as the same shall become due, and may be discharged, in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sum or sums, out of the said fund, as they may think proper, towards redeeming by purchase, and at a price not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, of any of them, in manner aforesaid. [Approved, May 1, 1810.]

[\* Private and absolute.]

The secretary of the treasury directed to pay to P. C. L'Enfant, out of unappropriated money in the treasury, 666 dollars 2-3ds, with interest, from the 1st March, 1798, as a compensation for his services in laying out the plan of the city of Washington.

#### CHAP. 273. [LXIII.] An act for the relief of P. C. L'Enfant.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of the treasury be authorized and directed to pay to P. C. L'Enfant, out of any money in the treasury, not otherwise appropriated, the sum of six hundred and sixty-six dollars and two-thirds, with legal interest, from the first day of March, one thousand seven hundred and ninety-two, as a compensation for his services in laying out the plan of the city of Washington.

[Approved, May 1, 1810.]

CHAP. 274. [LXIV.] An act to erect a lighthouse at the entrance of Scituate harbor, a stone column on a spit of sand at the entrance into Boston harbor, and a beacon on Beach Point, near Plymouth harbor, in the state of Massachusetts; a light at the entrance of Bayou St. John, into lake Penchartrain, and two lights on lake Erie; and for beacons and buoys, near the entrance of Beverly harbor.

On the cession of the jurisdiction of a sufficient quantity of land on one of the points forming the entrance of Scituate harbor, the secretary of the treasury to contract for building a lighthouse of stone thereon, &c. [† See page 607, vol. I.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, on the cession of the jurisdiction of so much land on one of the points forming the entrance of Scituate harbor, in the state of Massachusetts, as the president of the United States shall deem sufficient and most proper for a lighthouse,† it shall be the duty of the secretary of the treasury to provide, by contract, for building of a lighthouse of stone thereon, and placing it on the

the establishment with other lighthouses. The number and disposition of the lights shall be such as may distinguish it from those of others.

SECT. 2. *And be it further enacted*, That it shall be the duty of the secretary of the treasury to cause to be erected a column of stone, as a beacon, on a spit of sand, extending from Lighthouse, or from the Great Brewster, Island, at the entrance of the harbor of Boston, in the state of Massachusetts, of such form and dimensions as he shall deem necessary. And also to cause good and sufficient buoys and beacons to be placed, for the safety of navigation, at or near the entrance of the harbor of Beverly, Massachusetts.

SECT. 3. *And be it further enacted*, That one of the two beacons directed to be erected on the Stony Muscle Bed, near Plymouth harbor, in the state of Massachusetts, by an act which passed the seventeenth of March, eighteen hundred and eight, &c., and the same is hereby, directed to be erected on Beach Point, near the said harbor of Plymouth.

SECT. 4. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized to cause to be erected and established, under proper regulations, such a light as he shall deem proper and necessary, at or near the entrance of Bayou St. John into lake Ponchartrain, in the territory of Orleans; and such lights as he shall deem proper on or near Bird Island, and on or near Presq'isle, in lake Erie.

SECT. 5. *And be it further enacted*, That there be appropriated, out of any moneys in the treasury of the United States, not otherwise appropriated, the following sums of money, to accomplish the purposes of this act; to wit:

For the erection of a lighthouse, at the entrance of Scituate harbor, four thousand dollars.

For the erection of a stone column on a spit of sand, extending from Lighthouse Island, at the entrance of Boston harbor, three thousand five hundred dollars.

And for the erection and establishment of a light at the entrance of Bayou St. John into lake Ponchartrain, two thousand dollars.

And for the erection and establishment of two lights on lake Erie, one thousand six hundred dollars.

And for beacons and buoys near the entrance of Beverly harbor, the sum of fifteen hundred dollars.

[Approved, May 1, 1810.]

CHAP. 275. [LXV.] An act for the relief of Arthur St. Clair.†

[† Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he hereby is, authorized to cause to be paid, out of any moneys which may be in the treasury, not otherwise appropriated, the sum of two thousand dollars, to Arthur St. Clair, who served in the army of the Uni-

The president authorized to cause to be paid out of unappropriated moneys in the treasury, 2,000 dollars, to Arthur St. Clair, &c.

1810.

Provido; Arthur St. Clair previously to sign a release of all claim for further remuneration for services rendered, or money advanced by him, during the revolutionary war.

[\* Private and obsolete.]

The penalty incurred in March, 1810, by William W. Weymouth, master of the schooner Weymouth, for not complying with the injunctions of the 9th sec. of the act to prohibit the importation of slaves, &c. previous to his leaving New York, with a fugitive slave named Oliver, &c. remitted, &c.

[† Ante, ch. 77.] The penalty, and the forfeiture of the schooner Ceres, incurred by Joseph P. Weeks, the master, in July, 1809, for not complying with the injunctions of the 9th sec. of the act to prohibit the importation of slaves, &c. previously to leaving New York, with a fugitive slave named Lige, &c. remitted. [‡ See ante, ch. 77.]

ted States throughout the revolutionary war: *Provided*, the said Arthur St. Clair shall, previous to the receipt of the said sum of money, sign a release of all claim for further remuneration from the government for services rendered, or money advanced by him, during the revolutionary war. [Approved, May 1, 1810.]

CHAP. 276. [LXVI.] An act for the relief of William W. Weymouth and Joseph P. Weeks.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the penalty incurred some time in the month of March last, by William W. Weymouth, master of the schooner Weymouth, for not complying with the injunctions of the ninth section of the act, entitled "An act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States from and after the first day of January, in the year of our Lord one thousand eight hundred and eight,"† previous to his leaving the port of New York with a fugitive slave on board, named Oliver, belonging to the estate of James Redford, deceased, late of Richmond, in the state of Virginia, be, and the same is hereby, remitted; any law or laws to the contrary notwithstanding.

SECT. 2. *And be it further enacted, That* the penalty incurred some time in the month of July last, by Joseph P. Weeks, master of the schooner Ceres, and also the forfeiture of said schooner, incurred for not complying with the injunctions of the said ninth section of said act,‡ previous to his leaving the port of New York, with a fugitive slave on board, named Lige, belonging to Isaac Entwisle, of Alexandria, in the district of Columbia, be, and the same are also hereby, remitted.

[Approved, May 1, 1810.]

[§ See orig. act, of 26th Jan. 1809, ch. 329, vol. 3.] The president of the senate, and the speaker of the house authorized to grant the use of the books in the library of congress to the agent of the joint committee of congress, appointed in relation to the library, on the same terms, &c. as members of congress are allowed to use them, &c.

CHAP. 277. [LXVII.] An act in addition to an act, entitled "An act concerning the library for the use of both houses of congress."§

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the president of the senate and speaker of the house of representatives, for the time being, be, and they are hereby, authorized to grant the use of the books in the library of congress to the agent of the joint committee of congress, appointed in relation to the library, on the same terms, conditions, and restrictions, as members of congress are allowed to use said books, any thing contained in any former law to the contrary notwithstanding.

[Approved, May 1, 1810.]

## RESOLUTION.

[No. 1.] *Resolved, by the senate and house of representatives of the United States of America in congress assembled, That the*

expressions contained in the official letter of Francis J. Jackson, minister plenipotentiary of his Britannic majesty near the United States, dated the 23d day of October, 1809, and addressed to Mr. Smith, secretary of state, conveying the idea that the executive government of the United States had a knowledge, that the arrangement lately made by Mr. Erskine, his predecessor, in behalf of his government, with the government of the United States, was entered into without competent powers on the part of Mr. Erskine for that purpose, were highly indecorous and insolent: That the repetition of the same intimation in his official letter, dated the 4th of November, 1809, after he was apprized, by the asseveration of the secretary of state, that the executive government had no such knowledge, and that if it had possessed such knowledge, such arrangement would not have been entered into on the part of the United States; and, after also being officially apprized that such intimation was inadmissible, was still more insolent and affronting; and that, in refusing to receive any further communications from him, in consequence of these outrageous and premeditated insults, the executive government has manifested a just regard to its own dignity and honor, as well as to the character and interest of the American people: That the letter, signed Francis J. Jackson, headed "Circular," dated 13th November, 1809, and published and circulated through the country, is a still more direct and aggravated insult and affront to the American people and their government, as it is evidently an insidious attempt to excite their resentments and distrusts against their own government, by appealing to them, through false or fallacious disguises, against some of its acts; and to excite resentments and divisions amongst the people themselves, which can only be dishonorable to their own characters and ruinous to their own interests: And the congress of the United States do hereby solemnly pledge themselves to the American people, and to the world, to stand by and support the executive government in its refusal to receive any further communications from the said Francis J. Jackson, and to call into action the whole force of the nation, if it should become necessary, in consequence of the conduct of the executive government in this respect, to repel such insults, and to assert and maintain the rights, the honor, and the interests, of the United States.

[Approved, January 12, 1810.]

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The expressions contained in a letter from Francis J. Jackson, the British minister, of the 23d Oct. 1809, addressed to Mr. Smith, secretary of state, conveying the idea of the incompetency of Mr. Erskine's powers being known to the executive, &c. declared to have been highly indecorous and insolent; the repetition of the same intimation, &c. declared to be more so; and that the executive government, in refusing to receive any further communications from him, &c. manifested a just regard to its own dignity and honor, as well as to the character and interest of the American people; and the circular letter, signed Francis J. Jackson, of the 13th Nov. 1809, published and circulated, &c. declared to be a still more direct and aggravated insult, &c. it being an insidious attempt to excite the resentments, &c. of the people against their government, &c. Congress pledge themselves to stand by, and support, the executive government in its refusal to receive any further communications from Francis J. Jackson, with the whole force of the nation, &c.

# ACTS OF THE ELEVENTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE THIRD SESSION, WHICH WAS BEGUN AND HELD IN  
THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON  
MONDAY, THE 3D OF DECEMBER, 1810, AND ENDED ON THE 3D OF  
MARCH, 1811.

James Madison, President. George Clinton, Vice President, and President  
of the Senate. John Pope, President of the Senate, pro tempore, from  
the 26th of February. J. B. Varnum, Speaker of the House of Repre-  
sentatives.

1810-11. CHAP. 278. [LXVIII.] An act to authorize the transportation of certain  
[<sup>o</sup> Obsolete.] documents free of postage.<sup>2</sup>

Members of con-  
gress, the secre-  
tary of the se-  
nate, and clerk  
of the house, au-  
thorized to trans-  
mit, free of post-  
age, the message  
of the president,  
of the 5th Dec.  
1810, and docu-  
ments, &c. to  
any post office  
to which they  
may direct, &c.

SECT. 1. *Be it enacted by the senate and house of representa-  
tives of the United States of America in congress assembled, That*  
the members of congress, the secretary of the senate, and clerk  
of the house of representatives, be, and they are hereby, respec-  
tively, authorized to transmit, free of postage, the message of  
the president of the United States of the fifth of December, one  
thousand eight hundred and ten, and the documents accompa-  
nying the same, printed by order of the senate, and by order of  
the house of representatives, to any post office within the United  
States, and territories thereof, to which they may direct, any  
law to the contrary notwithstanding.

[Approved, December 17, 1810.]

[<sup>†</sup> Obsolete.]

A further sum  
of 70,000 dolls.  
appropriated for  
supplying the  
deficiency in the  
appropriation,  
for the relief and  
protection of dis-  
tressed Ameri-  
can seamen in  
foreign coun-  
tries, during  
the year 1810.

CHAP. 279. [LXIX.] An act making an additional appropriation to supply a  
deficiency in the appropriation for the relief and protection of distressed  
American seamen, during the year one thousand eight hundred and ten.<sup>†</sup>

SECT. 1. *Be it enacted by the senate and house of representa-  
tives of the United States of America in congress assembled, That,*  
for supplying the deficiency in the appropriation for the relief  
and protection of distressed American seamen in foreign coun-  
tries, during the year one thousand eight hundred and ten, the  
further sum of seventy-six thousand dollars, to be paid out of  
any moneys in the treasury not otherwise appropriated, be, and  
the same hereby is, appropriated.

[Approved, January 7, 1811.]

[<sup>†</sup> Obsolete.  
See the act,  
the 1st sec. of  
which is contin-  
ued, of 26th  
March, 1804; ch.  
399, vol. 3. See,  
also, chap. 341,  
post.]

CHAP. 280. [LXX.] An act to continue in force for a further time the first  
section of the act, entitled "An act further to protect the commerce and  
seamen of the United States against the Barbary powers."<sup>†</sup>

SECT. 1. *Be it enacted by the senate and house of representa-  
tives of the United States of America in congress assembled, That*

so much of the act, passed on the twenty-fifth day of March, one thousand eight hundred and four, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers,"\* as is contained in the first section of the said act, and which was revived and continued in force, for the time therein mentioned; by an act, entitled "An act to revive and continue in force for a further time the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers,'"† passed on the twelfth day of January, one thousand eight hundred and ten, be, and the same is hereby, continued in force until the fourth day of March, one thousand eight hundred and twelve: *Provided, however,* That the additional duty laid by the said section, shall be collected on all such goods, wares, and merchandise, liable to pay the same, as shall have been imported previous to that day. [Approved, January 7, 1811.]

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The first sec. of the act further to protect the commerce and seamen of the United States against the Barbary powers, contained in force until the 4th March, 1812. [\* Chap. 399, vol. 3.] [† Ante, chap. 330.]

*Provided;* the additional duty laid by the section continued, to be collected on all goods, &c., imported previously to the day referred to.

CHAP. 281. [LXXI.] An act to fix the compensation of the additional assistant postmaster general.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the additional assistant postmaster general, authorized by the act "regulating the post office establishment,"‡ shall receive an annual salary of sixteen hundred dollars, payable quarter yearly, at the treasury of the United States, to be computed from the time at which he may have entered upon the execution of the duties of his office. [Approved, January 17, 1811.]

The additional assistant postmaster general, &c., to receive an annual salary of 1,600 dollars, payable quarter yearly, at the treasury, &c. [‡ Ante, chap. 302.]

CHAP. 282. [LXXII.] An act for the relief of George Armroyd and company. §

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the collector of the customs for the port of Wilmington, in the state of Delaware, be, and he is hereby, directed to allow George Armroyd and company the drawback of duties on certain merchandise exported from the port of Philadelphia, by them, in the month of October, one thousand eight hundred and nine, which merchandise, so exported, was imported into the district of Wilmington aforesaid, on the tenth of July, one thousand eight hundred and seven, in the schooner Christianstadt, and thence shipped coastwise to the port of Philadelphia, in the sloops Caroline and Anne: *Provided, nevertheless,* That nothing herein contained shall be so construed as to compel the collector of Wilmington to grant the allowance of the drawback of duties aforementioned, until he shall receive, from the collector of the port of Philadelphia, satisfactory proof that the merchandise was shipped according to the forms of the laws in such cases made and provided; and also satisfactory proof, from the said George Armroyd and company, that the merchandise has been landed in some foreign port or place. [Approved, January 19, 1811.]

[§ Private and obsolete.]

The collector of Wilmington, Del. directed to allow George Armroyd and Co. the drawback of duties on merchandise exported from the port of Philadelphia, by them, in October, 1809, &c.

*Provided;* nothing herein to compel the collector of Wilmington to grant the drawback, until he receives from the collector of Philadelphia proof that the merchandise was shipped according to the forms of law, &c.



1811. CHAP. 283. [LXXIII.] An act for the relief of the heirs of the late major general Anthony Wayne.\*

[\* Private and obsolete.]

The proper accounting officers authorized to re-examine and settle the accounts of the late major general Anthony Wayne, and place to the credit thereof the sums stated by his executor in his memorial to congress, of the 7th January, 1811, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the proper accounting officers be, and they are hereby, authorized to re-examine and settle the accounts of the late major general Anthony Wayne, and place to the credit thereof the three several sums stated by his executor in his memorial to congress, dated the seventh of January, eighteen hundred and eleven, to have been disbursed by the deceased for expenses necessarily incurred in the official discharge of his duty; and three other sums, stated in the said memorial, for services rendered by the said deceased to the United States. [Approved, January 21, 1811.]

CHAP. 284. [LXXIV.] An act to authorize the secretary of war to ascertain and settle, by the appointment of commissioners, the exterior line of the public land at West Point, with the adjoining proprietor.†

[† See act of 5th Jan. 1813; chap. 473, post.]

The secretary of war authorized to settle the exterior line of the public land at West Point, in dispute with Thomas North, and to appoint three commissioners to ascertain the same. The determination of a majority of the commissioners, being approved by congress, to be final, &c. Each commissioner to receive 4 dollars per diem, &c. The commissioners to be appointed under this act may issue process for witnesses, &c. Persons duly served with process, bound to appear and testify, under penalty, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the secretary of war shall be, and he is hereby, authorized to settle the exterior line of the public land at West Point, in the state of New York, now in dispute with Thomas North, the adjoining proprietor; and, for that purpose, to appoint three commissioners to ascertain the same, whose determination, or a majority of them, the same being first approved by the congress of the United States, shall be final and conclusive in the premises. And any such commissioner shall be entitled to receive at and after the rate of four dollars per diem, for the time necessarily employed in executing said commission or appointment.

SECT. 2. *And be it further enacted, That* it shall and may be lawful for the commissioners who may be appointed under this act, or either of them, to issue process, in nature of a writ of subpoena, for any witness that may be required on a hearing in the premises; and any person duly served with such process shall be bound to appear and testify, under the like penalty, and be liable to be proceeded against in the like manner, as is provided by law, in relation to any witness whose attendance is required in any court of the United States, to give testimony in any matter depending therein. [Approved, January 22, 1811.]

[‡ Private.]

CHAP. 285. [LXXV.] An act to change the name of Lewis Grant to that of Lewis Grant Davidson.‡

Lewis Grant, devisee of Samuel Davidson, &c. authorized, from the 6th of February, 1811, to take and use the surname of Davidson, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* Lewis Grant, of the district of Columbia, devisee of Samuel Davidson, late deceased, of the said district, be, and he is hereby, authorized, from and after the passage of this act, to take and use the surname of Davidson, and that his name hereafter

be Lewis Grant Davidson; and all acts done and entered into by that name, shall have the same effect and operation in law as if his name had originally been Lewis Grant Davidson. 1811.

[Approved, February 6, 1811.]

**CHAP. 286. [LXXVI.]** An act making appropriations for the support of the military establishment of the United States, for the year one thousand eight hundred and eleven.\*

[\* Obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That;* for defraying the expenses of the military establishment of the United States, for the year one thousand eight hundred and eleven, for the Indian department, and for the expense of fortifications, magazines, arsenals, and armories, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

For the pay of the army of the United States, eight hundred and sixty-nine thousand nine hundred and sixty-eight dollars. Sums appropriated for defraying the expenses of the military establishment, for the year 1811, &c.

For forage, thirteen thousand seven hundred and fifty-six dollars. For the pay of the army.

For subsistence, six hundred and eighty-five thousand five hundred and thirty-two dollars and five cents. For forage.

For clothing, two hundred and ninety-three thousand eight hundred and four dollars. For subsistence.

For bounties and premiums, thirty thousand dollars. For clothing.

For the medical and hospital department, fifty thousand dollars. For bounties and premiums.

For camp equipage, fuel, tools, and transportation, two hundred and seventy thousand dollars. For the medical and hospital department.

For ordnance, one hundred thousand dollars. For camp equipage, &c.

For fortifications, arsenals, magazines, and armories, including two thousand dollars for such a number of additional military storekeepers as may be required, two hundred and seventy-six thousand forty-nine dollars and seventy-six cents. For ordnance.

For purchasing maps, plans, books, and instruments, two thousand five hundred dollars. For fortifications, arsenals, &c.

For contingencies, fifty thousand dollars. For maps, plans, &c.

For the salary of clerks employed in the military agents' offices, and in the office of the inspector of the army, three thousand five hundred dollars. For contingencies.

For the Indian department, one hundred and forty-six thousand five hundred dollars. For clerks in the military agents' offices, &c.

**SECT. 2.** *And be it further enacted, That* the several sums specifically appropriated by this act shall be paid out of any moneys in the treasury, not otherwise appropriated. For the Indian department.

[Approved, February 6, 1811.]

The preceding appropriations to be paid out of unappropriated moneys in the treasury.

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CHAP. 287. [LXXVII.] An act for the relief of William Mills.\*

[\*Private and  
obscure.]

William Mills,  
imprisoned in the  
county of Middle-  
sex, Conne-  
cticut, released,  
&c. from all  
claim, &c. of the  
United States,  
upon a judgment,  
on his recognis-  
ance for appear-  
ance as a wit-  
ness, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* William Mills, now imprisoned in the county of Middlesex, and state of Connecticut, shall be, and is hereby, released and discharged from all claim and demand of the United States, to or upon a certain judgment, before the district court for the district of Connecticut, holden at New Haven, in the month of August, one thousand eight hundred and ten, recovered for the sum of two thousand dollars, with costs, at their suit, on his recognisance for appearance as witness, in the case of a prosecution on behalf of the United States before the circuit court in the same district.

[Approved, February 7, 1811.]

CHAP. 288. [LXXVIII.] An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and eleven.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for defraying the expenses of the navy of the United States, for the year one thousand eight hundred and eleven, the following sums be, and the same are hereby, respectively, appropriated; that is to say:

Sums appropri-  
ated for defray-  
ing the expenses  
of the navy for  
the year 1811.

For the pay and  
subsistence of  
officers, and pay  
of seamen.

For the pay and subsistence of the officers, and pay of the seamen, seven hundred and seventy-four thousand three hundred and ninety dollars.

For provisions.

For provisions, three hundred and eighty-five thousand three hundred and thirty dollars.

For medicines,  
&c.

For medicines, instruments, and hospital stores, thirty thousand dollars.

For repairs of  
vessels.  
For freight,  
store rent, &c.

For repairs of vessels, two hundred and fifty thousand dollars.

For freight, store rent, and all other contingencies, one hundred thousand dollars.

For pay and sub-  
sistence of the  
marine corps.  
&c.

For pay and subsistence of the marine corps, including provisions for those on shore, and forage for the staff, one hundred and thirty-eight thousand two hundred and fifty-six dollars and ninety cents.

For clothing for  
the marine  
corps.

For clothing for the same, thirty-seven thousand nine hundred dollars and ninety cents.

For military  
stores for the  
marine corps.

For military stores for the same, one thousand three hundred and ninety-six dollars and twenty-five cents.

For medicines,  
medical ser-  
vices, &c.

For medicines, medical services, hospital stores, and all other expenses on account of the sick belonging to the marine corps, three thousand dollars.

For quartermas-  
ters' and bar-  
rackmasters'  
stores, officers'  
travelling ex-  
penses, &c.

For quartermasters' and barrackmasters' stores, officers' travelling expenses, armorers' and carpenters' bills, fuel, premiums for enlisting men, musical instruments, bounty to music, and other contingent expenses of the marine corps, fifteen thousand dollars.

For the expenses of navy yards, comprising docks, and other improvements, pay of superintendents, storekeepers, clerks, and laborers, seventy-five thousand dollars.

For ordnance and small arms, sixty thousand dollars.

SECT. 2. *And be it further enacted*, That the several sums, specifically appropriated by this act, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[*Approved, February 7, 1811.*]

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For the expenses of navy yards, &c.

For ordnance, and small arms. The sums appropriated by this act to be paid out of unappropriated moneys in the treasury.

CHAP. 289. [LXXIX.] An act making compensation to John Eugene Leitensdorfer, for services rendered the United States in the war with Tripoli.\*

[\*Private, and the 2d sec. obsolete.]

The secretary of war directed to issue a land warrant to John Eugene Leitensdorfer, for 320 acres.

The warrant may be located with any register, &c. on any of the public lands west of the Mississippi, or be received at the rate of 2 dols. per acre, &c.

The proper accounting officers of the treasury directed to settle the account of John Eugene Leitensdorfer, and allow him the pay of a captain, for the time mentioned, during which he served as adjutant and inspector of the forces of the United States in Egypt, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of war be, and he is hereby, directed to issue a land warrant to John Eugene Leitensdorfer, for three hundred and twenty acres; which said warrant may, at the option of the holder or possessor, be located with any register or registers of the land offices on any of the public lands of the United States, lying on the west side of the Mississippi, then and there offered for sale, or may be received, at the rate of two dollars per acre, in payment of any such public lands.

SECT. 2. *And be it further enacted*, That the proper accounting officers of the treasury be, and they are hereby, directed to settle the account of John Eugene Leitensdorfer, and to allow him the pay of a captain, from the fifteenth day of December, one thousand eight hundred and four, to the fifteenth day of July, one thousand eight hundred and five, being the time he served as adjutant and inspector of the forces of the United States in Egypt, and on the coast of Africa. [*Approved, February 13, 1811.*]

CHAP. 290. [LXXX.] An act authorizing the discharge of Nathaniel F. Fosdick from his imprisonment.†

[† Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the marshal for the district of Maine be, and he is hereby, authorized and directed to discharge Nathaniel F. Fosdick from his imprisonment, upon an execution issued against him in behalf of the United States: *Provided*, That the said Nathaniel F. Fosdick shall pay and satisfy all the costs that have arisen on the part of the United States in the said prosecution, and shall assign and convey all the estate, real and personal, which he may own, or be entitled to, to some person, for the use and benefit of the United States, under the direction of the secretary of the treasury: *And provided also*, That any estate, real or personal, which the said Fosdick may hereafter acquire, shall be liable to be taken and sold, in the same manner as if he had never been imprisoned and discharged as aforesaid: *And provided also*, That any surety or sureties of said Fosdick shall first agree, in writing, under the direction of the secretary of the treasury, as aforesaid, that any liability which may at present

The marshal for the district of Maine directed to discharge Nathaniel F. Fosdick from imprisonment, &c.

Proviso; Nathaniel F. Fosdick to satisfy all costs, and convey his estate, &c. for the benefit of the United States, &c.

Proviso; future estate of Fosdick liable, &c.

Proviso; Fosdick's sureties must first agree, in writing, &c. that their liability shall not be

1811. exist against such surety shall in no wise be impaired or affected by this act, or by the liberation of said Fosdick from his imprisonment. [Approved, February 13, 1811.]

[\*Repealed. See act of 3d March, 1811; s. c. 14, ch. 333, post. Supplied by the same act.]

CHAP. 291. [LXXXI.] An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana.\*

Specific allowances, &c. to the several officers appointed for ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana, to be in full, &c.

A further allowance of 600 dollars, to each commissioner and clerk after the completion of the business, &c.

At the rate of 600 dollars a year to each of the translators, not to exceed, &c. Proviso; the allowance of 80 cents for each claim decided, not to be made to any commissioner who may be absent, &c. Proviso; no allowance to any agent heretofore employed by the secretary of the treasury for any period after he ceased to act, &c. The two principal deputy surveyors of the Orleans territory, in surveying and dividing public lands adjacent to any river, creek, &c. authorized to vary the mode heretofore prescribed, so far as relates to the contents, angles, and boundary lines, and to lay out the same in tracts of 68 poles in front, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the following allowances and compensations shall be made to the several officers appointed for the purpose of ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana; which allowances and compensation shall be in full for all their services, including those rendered since their salaries, respectively, ceased; that is to say: To each of the commissioners, and to each of the clerks of the boards, fifty cents for each claim, duly filed according to law, which remained undecided on the first day of July, one thousand eight hundred and nine, and on which a decision has been made subsequent to that day, or shall hereafter be made, whether such decision be in favor or against the claim; which allowance of fifty cents shall be paid at the treasury of the United States, from time to time; and on receipt of the transcripts of the decisions, and of the reports of claims not finally confirmed, as the same may be transmitted by the boards, respectively, to the secretary of the treasury, according to law. To each of the said commissioners and clerks, a further allowance of five hundred dollars, to be paid after the completion of the business of each of the boards, respectively, to the officers then in office. And to each of the translators, at the rate of six hundred dollars a year, and not to exceed in the whole, for each, the term of eighteen months: *Provided always,* That the abovementioned allowance of fifty cents for each claim decided upon, shall not be made to any of the commissioners who may be absent at the time of such decision; the attendance of each to be certified by the clerk, or by a majority of the board: *And provided also,* That no allowance shall be made to any agent heretofore employed by the secretary of the treasury, for any period of time subsequent to the time when such agent ceased to act, or when the board ceased to receive evidence.

SECT. 2. *And be it further enacted,* That the two principal deputy surveyors of the territory of Orleans shall, and they are hereby, authorized, in surveying and dividing such of the public lands in the said territory, which are or may be authorized to be surveyed and divided, as are adjacent to any river, lake, creek, bayou, or water course, to vary the mode heretofore prescribed by law, so far as relates to the contents of the tracts, and to the angles and boundary lines, and to lay out the same into tracts, as far as practicable, of fifty-eight poles in front, and four hundred and sixty-five poles in depth, of such shape, and bounded by such lines, as the nature of the country will render

practicable, and most convenient: *Provided, however, That such deviations from the ordinary mode of surveying shall be made with the approbation of, and in conformity with, the general instructions which may be given to that effect by the surveyor of the public lands south of the state of Tennessee.*

**SECT. 3.** *And be it further enacted, That, for the disposal of the lands of the United States, lying in the eastern land district of the territory of Orleans, a land office shall be established at New Orleans; and that, for the disposal of the lands of the United States, lying south of Red river, in the western land district of the territory of Orleans, a land office shall be established at Opelousas; and that, for the disposal of the lands of the United States lying north of Red river, in the western land district of the territory of Orleans, a land office shall be established, which shall be kept at such place as the president of the United States may direct. The register of the western land district of the territory of Orleans shall act as register of the land office of Opelousas, and as one of the commissioners for ascertaining the rights of persons claiming lands in any part of the said western land district. And, for the land office north of the Red river, a register, and, for each of the said three offices, a receiver of public moneys, shall be appointed, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law, in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States in the territory of Mississippi.\**

**SECT. 4.** *And be it further enacted, That the powers vested in the president of the United States, by the eleventh section of the act, entitled "An act supplementary to an act, entitled 'An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana,'" passed on the twenty-first day of April, one thousand eight hundred and six, in relation to the public lands lying in the western district of the territory of Orleans, and all the other provisions made by the same section, for the sale of said lands, and for obtaining patents for the same, shall be, and the same are hereby, in every respect, extended to the public lands lying in the eastern district of the territory of Orleans.*

**SECT. 5.** *And be it further enacted, That every person who, either by virtue of a French or Spanish grant, recognised by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans, owns a tract of land bordering on any river, creek, bayou, or water course, in the said territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of, his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land that which is contained in his*

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*Provido: the deviations from the ordinary mode of surveying to be made in conformity with the general instructions of the surveyor of the public lands south of Tennessee. A land office to be established at New Orleans, &c. A land office to be established at Opelousas, &c. A land office to be established at such place as the president may direct, for the disposal of lands lying north of Red river, &c. The register of the western land district of the territory of Orleans to act as register, &c. of Opelousas, &c. A register for the land office north of Red river, and a receiver for each of the three offices, to be appointed, &c. to receive the same compensations, &c. as registers, &c. in the territory of Mississippi.*

[\* See chap. 340, vol. 3.]

*The powers vested in the president by the 11th section of the act mentioned in relation to the public lands in the western district of the territory of Orleans, and all the other provisions of the same section for the sale of said lands, &c. extended to the public lands lying in the eastern district of the territory of Orleans.*

[T Ante, ch. 39.] Every person who, either by a French or Spanish grant, recognised, &c. or under a claim confirmed, &c. owns a tract of land bordering on any river, &c. in the territory &c. not exceeding in depth 40 arpens, &c. to be entitled to a preference in becoming purchaser of any vacant tract, &c. as provided by

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law for other public lands in the territory. The principal deputy surveyor of each district authorized, &c. to cause to be surveyed the tracts claimed by this section; and where by reason of bends in the river, &c. each claimant cannot obtain a tract equal in quantity, &c. to divide the vacant land between the claimants, &c. *Provido*; the right of pre-emption under this section not to include lands fit for cultivation bordering on another river, &c. Persons entitled to the benefit of this act, to deliver, within 3 years, &c. to the register of the proper land office, a notice in writing, stating the tracts they wish to purchase, &c. Persons failing to deliver notice within 3 years, &c. their rights of pre-emption cease, and the land may be purchased by any other person, &c.

The land offices established by virtue of the 4th sec. of this act, to be opened on the 1st Jan. 1812, for the sale of all the public lands, except No. 16, salt springs, &c. and tracts reserved for the support of seminaries of learning, &c. which have been previously surveyed, &c. and on the 1st Feb. 1812, for the sale of public lands as cannot be surveyed in the ordinary way, embraced by the provisions of the 3d sec. of this act, and advertised six weeks previously, &c. The public sales for lands subdivided into quarter sections, &c. to be held for 1 calendar month, under the superintendence of the

own tract, at the same price, and on the same terms and conditions as are, or may be, provided by law for the other public lands in the said territory. And the principal deputy surveyor of each district, respectively, shall be, and he is hereby, authorized, under the superintendence of the surveyor of the public lands south of the state of Tennessee, to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where, by reason of bends in the river, lake, creek, bayou, or water course, bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land applicable to that object between the several claimants, in such manner as to him will appear most equitable: *Provided, however*, That the right of pre-emption, granted by this section, shall not extend so far in depth as to include lands fit for cultivation, bordering on another river, creek, bayou, or water course. And every person entitled to the benefit of this section shall, within three years after the date of this act, deliver, to the register of the proper land office, a notice in writing, stating the situation and extent of the tract of land he wishes to purchase, and shall also make the payment and payments for the same, at the time and times which are, or may be, prescribed by law, for the disposal of the other public lands in the said territory: the time of his delivering the notice aforesaid being considered as the date of the purchase. And if any such person shall fail to deliver such notice within the said period of three years, or to make such payment or payments at the time abovementioned, his right of pre-emption shall cease and become void; and the land may thereafter be purchased by any other person, in the same manner, and on the same terms, as are or may be provided by law for the sale of other public lands in the said territory.

SECT. 6. *And be it further enacted*, That the land offices established by virtue of the fourth section of this act, shall be opened on the first day of January, one thousand eight hundred and twelve, for the sale of all the public lands, with the exception of section "No. sixteen," of the salt springs, and land contiguous thereto, and of the tracts reserved for the support of seminaries of learning, as hereinafter provided, which shall have been previously surveyed, and the surveys thereof returned, according to law, to the registers of the land offices, respectively; and, on the first day of February, one thousand eight hundred and twelve, for the sale of such of the public lands which, from the nature of the country, cannot be surveyed in the ordinary way, and are embraced, by the provisions of the third section of this act, as shall have, at least six weeks previous to the said first day of February, one thousand eight hundred and twelve, been advertised for sale by the surveyor of the public lands south of the state of Tennessee, with the approbation of the president of the United States. The public sales, for the lands subdivided into quarter sections in the ordinary way, shall be held for one calendar month, under the superintendence of the register and receiver of each land office, respectively, and of either of the surveyor of

public lands south of Tennessee, or of his principal deputy surveyor in the district, who shall each receive six dollars for each day's attendance on the same; and no tract of land shall be sold at said public sales for a less price than that which is or may be prescribed by law for the sale of public lands in the Mississippi territory.\* And, from and after the first day of February, one thousand eight hundred and twelve, any tract which has been thus offered for sale at public sale, and remains unsold, as well as any tract of land embraced by the provisions of the third section of this act, the sale of which is authorized by this section, may be disposed of at private sale, by the register of the land office, for the same price which is or may be prescribed by law for the sale of public lands in the Mississippi territory.† All the lands sold virtue of this section, shall, in every other respect, be sold on the same terms of payment, and conditions, in the same manner, and under the same regulations, as are or may be prescribed by law, for the sale of public lands in the Mississippi territory.‡ *Provided, however,* That, in case of an application being made at the same time, for the purchase, at private sale, of the same tract of land, by two or more persons, one of whom did actually inhabit and cultivate such tract of land at the time of passing this act, and still continues to inhabit and cultivate the same at the time of such application, the preference shall be given to the person thus inhabiting and cultivating such tract of land: *And provided also,* That till after the final decision of congress thereon, no tract of land shall be offered for sale, the claim to which has been, in due time, and according to law, presented to the register of the land office, and filed in his office, for the purpose of being investigated by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans; or which shall have been located by or for major general La Fayette, according to law.

**SECT. 7.** *And be it further enacted,* That in addition to the township already reserved for that purpose by law, in the western district of the territory of Orleans, and which shall be located south of Red river, another entire township shall be located by the secretary of the treasury north of Red river, for the use of a seminary of learning, and also an entire township in the territory of Louisiana, for the support of a seminary of learning within the said territory.

**SECT. 8.** *And be it further enacted,* That the surveyor general shall cause such of the public lands in the territory of Louisiana as the president of the United States shall direct, to be surveyed and divided, in the same manner, and under the same regulations, and limitation as to expenses, as is provided by law in relation to the lands of the United States northwest of the river Ohio, and above the mouth of Kentucky river.§

**SECT. 9.** *And be it further enacted,* That, for the disposal of the lands of the United States lying in the territory of Louisiana, a land office shall be established, which shall be kept at such place as the president of the United States may direct; and a register and receiver of public moneys shall be appointed for said office, who shall give security in the same manner, in the same sums,

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Register and Receiver, &c. who are each to receive \$6 dolls. for every day's attendance. No tract to be sold at public sale for a less price than that prescribed for land in the Mississippi territory.

[\* See chap. 340, vol. 3.]

After the 1st Feb. 1812, any tract offered at public sale, and remaining unsold, and any tract embraced by the provisions of the 3d sec. of this act, &c. may be disposed of at private sale, &c. for the same price, &c. [† See chap. 340, vol. 3.]

All the lands sold by virtue of this sec. to be sold on the same terms, &c. as prescribed by law for the sale of public lands in the Mississippi territory.

[‡ See chap. 340, vol. 3.]

Proviso; until after the final decision of congress, no tract to be offered for sale, the claim to which has been in due time, &c. presented to the register, and filed, &c. or which has been located for major general La Fayette, &c.

In addition to the township to be located south of Red river, another township to be located, &c. north of Red river, &c. and a township, &c.

The surveyor general to cause such public lands in the territory of Louisiana as the president directs, to be surveyed and divided, &c.

[§ See chap. 209, vol. 3.]

A land office, at such place as the president may direct, to be established for the disposal of lands in the territory of Louisiana, (Missouri,) and a register and re-



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never to be appointed, &c.

[\* See chap. 209, vol. 3.]

The president, when he thinks proper, may direct so much of the public lands in the territory of Louisiana, &c. to be offered for sale.

All the land surveyed, &c. with the exception of No. 16, to be reserved in each township, for the support of schools, and of a tract, &c. by the 8th sec. of this act, &c. to be offered for sale, &c.

The sales to remain open 3 weeks, &c.

The lands to be sold for a price not less than that fixed for those northwest of the Ohio, &c. and in tracts of the same size, &c. as lands in Ohio. Superintendents of sales to receive 6 dols. for each day's attendance. Lands, &c. remaining unsold, may be disposed of at private sale, by the register, &c.

Provided, until the decision of congress, no tract to be offered for sale, the claim to which has been in due time, &c. presented to the recorder, &c. in the district of Louisiana, and filed for investigation by the commissioners for ascertaining rights, &c.

Patents to be obtained for lands sold in the territory of Louisiana, as provided by law for land sold in the state of Ohio.

The claim of the corporation of New Orleans to the common adjacent, &c. as confirmed by the act mentioned, to be deemed valid, although the relinquishment to any claim beyond, &c. was not made, &c.

[\* Ante, ch. 91.]

and whose compensations, emoluments, duties, and authority shall, in every respect, be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided for by law in relation to the register and receiver of public moneys in the several offices established for the disposal of the lands of the United States northwest of the river Ohio, and above the mouth of Kentucky river.\*

SECT. 10. *And be it further enacted*, That the president of the United States be, and he is hereby, authorized, whenever he shall think proper, to direct so much of the public lands lying in the territory of Louisiana, as shall have been surveyed in conformity with the ninth section of this act, to be offered for sale. All such lands shall, with the exception of the section "number sixteen," which shall be reserved, in each township, for the support of schools within the same, with exception also of a tract reserved for the support of a seminary of learning, as provided for by the eighth section of this act, and with the exception also of the salt springs, and lead mines, and lands contiguous thereto, which, by the direction of the president of the United States, may be reserved for the future disposal of the said states, shall be offered for sale to the highest bidder, under the direction of the register of the land office, and the receiver of public moneys, and of the principal deputy surveyor, and on such day or days as shall, by public proclamation of the president of the United States, be designated for that purpose. The sales shall remain open for three weeks, and no longer. The lands shall be sold for a price not less than that which has been or may be fixed by law for the public lands northwest of the river Ohio, and above the mouth of Kentucky river: And shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions, as have been or may be by law provided for the lands sold in the state of Ohio. The superintendents of the said public sales shall, each, receive six dollars for each day's attendance on the said sales. All the lands which have been thus offered for sale, at public sale, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the register of the land office, for the same price which is or may be prescribed by law for the sale of public lands in the state of Ohio: *Provided, however*, That till after the decision of congress thereon, no tract of land shall be offered for sale, the claim to which has been, in due time, and according to law, presented to the recorder of land titles in the district of Louisiana, and filed in his office, for the purpose of being investigated by the commissioners appointed for ascertaining the rights of persons claiming lands in the territory of Louisiana. And patents shall be obtained for all lands sold in the territory of Louisiana, in the same manner, and on the same terms, as is or may be provided, by law, for land sold in the state of Ohio.

SECT. 11. *And be it further enacted*, That the claim of the corporation of the city of New Orleans to the common adjacent thereto, and within six hundred yards from the fortifications of the same, as confirmed by the act, entitled "An act respecting claims to lands in the territories of Orleans and Louisiana,"† shall be deemed valid, although the relinquishment of the said cor-

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poration, to any claim beyond the said distance of six hundred yards, was not made till after the expiration of the period of six months, prescribed by the act last mentioned.

SECT. 12. *And be it further enacted*, That all the navigable rivers and waters in the territories of Orleans and Louisiana, shall be, and forever remain, public highways.

Navigable rivers and waters in the territories of Orleans and Louisiana, forever to remain public highways. Not exceeding 40,000 dolls. appropriated for carrying this act into effect, &c.

SECT. 13. *And be it further enacted*, That a sum, not exceeding forty thousand dollars, be, and the same is hereby, appropriated for the purpose of carrying this act into effect, which sum shall be paid out of unappropriated moneys in the treasury.

[Approved, February 15, 1811.]

CHAP. 292. [LXXXII.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 293. [LXXXIII.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 294. [LXXXIV.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 295. [LXXXV.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 296. [LXXXVI.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 297. [LXXXVII.] An act making a further distribution of such laws of the United States as respect the public lands.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the copies of the laws prepared and printed under the authority of "An act providing for printing and distributing of such laws of the United States as respect the public lands,"\* passed the twenty-seventh day of April, one thousand eight hundred and ten, not otherwise disposed of, shall be distributed in the manner following; that is to say: The president and vice president of the United States, the members of the senate and house of representatives, the secretaries of the state, treasury, war, and navy, departments, the attorney general, the comptroller and register of the treasury, the judges of the supreme and district courts of the United States, the governors and judges of the territories, the surveyor general of the United States, and the surveyor of the lands of the United States south of Tennessee, shall, each, receive one copy; the clerks in each of the departments of state, treasu-

The copies of the laws respecting the public lands, prepared and printed under the authority of the act mentioned, to be distributed in the manner specified, &c.

[\*Ante, ch. 259.]

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250 copies to be placed in the library, &c.  
100 copies to be deposited in the treasury department, for the use of the land boards, &c.  
The remainder to be placed in the library, and each member of congress, &c. so long, &c. to be entitled to one copy, &c.

ry, and war, employed on land business, five copies; the secretary of the senate, to be placed on his table for the use of the senate; five copies; the clerk of the house of representatives, to be placed on his table for the use of the house of representatives, ten copies; two hundred and fifty copies shall be placed in the library, and remain there, under the same regulations as the other laws of the United States; one hundred copies shall be deposited in the treasury department, for the use of the land boards, and offices which may hereafter be established; and the remainder shall be placed in the library; and each member of congress hereafter elected, shall, so long as any remain, exclusive of the two hundred and fifty copies before mentioned, be entitled to one copy at the commencement of that session of congress next succeeding his election. [Approved, February 18, 1811.]

[\* See the const. art. 4, sec. 3, el. 1, pa. 69, vol. 1: See, also, the treaty between the United States and the French republic, of 30th April, 1803; art. 3, pa. 136, vol. 1.]

The inhabitants of that part of Louisiana, within the limits described, authorized to form for themselves a constitution and state government, and to assume what name they deem proper, upon the conditions, &c. mentioned.

[† See page 134, vol. 1.]

[‡ Limits enlarged. See act of 14th April, 1812; chap. 380, post.]

All free white male citizens, who have arrived at the age of 21 years, residents of the territory at least 1 year previous to the day of election, who have paid a territorial, &c. tax, and persons having, in other respects, legal qualifications to vote for representatives in the general assembly

CHAP. 298. [LXXXVIII.] An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of such state into the union, on an equal footing with the original states: and for other purposes.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the inhabitants of all that part of the territory or country ceded under the name of Louisiana, by the treaty made at Paris, on the thirtieth day of April, one thousand eight hundred and three,† between the United States and France, contained within the following limits, that is to say: beginning at the mouth of the river Sabine, thence, by a line to be drawn along the middle of the said river, including all islands, to the thirty-second degree of latitude; thence, due north to the northernmost part of the thirty-third degree of north latitude; thence, along the said parallel of latitude, to the river Mississippi; thence, down the said river, to the river Iberville; and from thence, along the middle of the said river and lakes Maurepas and Ponchartrain, to the gulph of Mexico; thence, bounded by the said gulph, to the place of beginning;‡ including all islands within three leagues of the coast, be, and they are hereby, authorized to form for themselves a constitution and state government, and to assume such name as they may deem proper, under the provisions, and upon the conditions, hereinafter mentioned.

SECT. 2. *And be it further enacted,* That all free white male citizens of the United States, who shall have arrived at the age of twenty-one years, and resided within the said territory at least one year previous to the day of election, and shall have paid a territorial, county, district, or parish, tax; and all persons having, in other respects, the legal qualifications to vote for representatives in the general assembly of the said territory, be, and they are hereby, authorized to choose representatives to form a convention, who shall be apportioned amongst the several counties, districts, and parishes, within the said territory of Orleans, in such manner as the legislature of the said territory shall by law

**Direct.** The number of representatives shall not exceed sixty; and the election of the representatives aforesaid shall take place on the first Monday in September next, and shall be conducted in the same manner as is now provided by the laws of the said territory for electing members for the house of representatives.

**SECT. 3.** *And be it further enacted,* That the members of the convention, when duly elected, be, and they are hereby, authorized to meet, at the city of New Orleans, on the first Monday of November next; which convention, when met, shall first determine, by a majority of the whole number elected, whether it be expedient or not, at that time, to form a constitution and state government, for the people within the said territory; and if it be determined to be expedient, then the convention shall, in like manner declare, in behalf of the people of the said territory, that it adopts the constitution of the United States; whereupon the said convention shall be, and hereby is, authorized to form a constitution and state government for the people of the said territory: *Provided,* The constitution to be formed, in virtue of the authority herein given, shall be republican, and consistent with the constitution of the United States; that it shall contain the fundamental principles of civil and religious liberty; that it shall secure to the citizen the trial by jury in all criminal cases, and the privilege of the writ of habeas corpus, conformably to the provisions of the constitution of the United States,\* and that after the admission of the said territory of Orleans as a state, into the Union, the laws which such state may pass shall be promulgated, and its records of every description shall be preserved, and its judicial and legislative written proceedings conducted, in the language in which the laws and the judicial and legislative written proceedings of the United States are now published and conducted: *And provided also,* That the said convention shall provide by an ordinance, irrevocable without the consent of the United States, that the people inhabiting the said territory do agree and declare, that they forever disclaim all right or title to the waste or unappropriated lands, lying within the said territory; and that the same shall be and remain at the sole and entire disposition of the United States; and, moreover, that each and every tract of land, sold by congress, shall be and remain exempt from any tax, laid by the order or under the authority of the state, whether for state, county, township, parish, or any other purpose whatever, for the term of five years, from and after the respective days of the sales thereof; and that the lands, belonging to citizens of the United States, residing without the said state, shall never be taxed higher than the lands belonging to persons residing therein; and that no taxes shall be imposed on lands the property of the United States; and that the river Mississippi, and the navigable rivers and waters leading into the same, or into the gulph of Mexico, shall be common highways, and forever free, as well to the inhabitants of the said state as to other citizens of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said state.

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of the territory, authorized to choose representatives, &c. The number of representatives not to exceed sixty, &c.

The members of the convention authorized to meet at New Orleans on the first Monday of Nov. 1811.

The convention must first decide whether it be expedient to form a state constitution, &c. If determined to be expedient, then the convention must declare, &c. that it adopts the constitution of the United States, and then it may form a state government, &c. The constitution to be formed must be republican, and consistent with the constitution of the United States, &c.

[\*See the const. art. 4, sec. 4, cl. 1, page 69, vol. 1; and the provisions of the constitution, *passim*.]

After the admission of the territory of Orleans as a state, &c. the laws to be in the language in which the laws, &c. of the United States are published, &c.

*Provided;* the convention to declare, by an ordinance, irrevocable, &c. that the people of the territory forever disclaim all right or title to the waste or unappropriated lands, &c. that the same shall be at the entire disposition of the United States, and that each tract sold by congress shall be exempt from any state tax for five years after the days of sales, &c. the Mississippi, &c. to be common highways, forever free, &c.

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In case the convention adopts the constitution of the United States, and forms a state constitution, &c. the instrument of adoption, &c. to be transmitted to congress, and if not disapproved, the state is to be admitted into the union, &c.

SECT. 4. *And be it further enacted*, That, in case the convention shall declare its assent, in behalf of the people of the said territory, to the adoption of the constitution of the United States, and shall form a constitution and state government for the people of the said territory of Orleans, the said convention, as soon thereafter as may be, is hereby required to cause to be transmitted to congress the instrument by which its assent to the constitution of the United States is thus given and declared, and also, a true and attested copy of such constitution, or frame of state government, as shall be formed and provided by said convention; and if the same shall not be disapproved by congress, at their next session after the receipt thereof, the said state shall be admitted into the union, upon the same footing with the original states.\*

[\*See chap. 373, post.]

Five per cent. of the net proceeds of the sales of lands, &c. to be applied to laying out public roads, &c.

SECT. 5. *And be it further enacted*, That five per centum of the net proceeds of the sales of the lands of the United States, after the first day of January, shall be applied to laying out and constructing public roads and levees in the said state, as the legislature thereof may direct. [Approved, February 20, 1811.]

[† Obsolete.]

CHAP. 299. [LXXXIX.] An act making appropriations for the support of government, for the year one thousand eight hundred and eleven.†

Sums appropriated for the objects mentioned.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for the expenditure of the civil list, in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of lighthouses, beacons, buoys, and public piers; for defraying the expenses of surveying the public lands, and for satisfying certain miscellaneous claims, the following sums be, and the same are hereby, respectively, appropriated; that is to say:

For members of congress, their officers, &c.

For compensation granted by law to the members of the senate and house of representatives, their officers and attendants, estimated for a session of four months and a half continuance, two hundred and one thousand four hundred and twenty-five dollars.

For the contingent expenses of congress.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of congress, thirty-four thousand dollars.

For contingent expenses of the library of congress, &c.

For all contingent expenses of the library of congress, and for the librarian's allowance, for the year one thousand eight hundred and eleven, eight hundred dollars.

For repairing the roof and fitting up a room in the west side of the north wing of the capitol, for the library of congress, six hundred dollars.

For the president and vice president. For the secretary of state, clerks, &c.

For compensation to the president and vice president of the United States, thirty thousand dollars.

For compensation to the secretary of state, clerks, and persons

employed in that department, including the sum of one thousand four hundred and seventy-eight dollars, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,\* fourteen thousand and thirty-eight dollars. 1811.

For the incidental and contingent expenses of the said department, one thousand three hundred and fifty dollars.

For the contingent expenses of the department of state.  
For printing and distributing the laws.

For printing and distributing the laws of the third session of the eleventh congress, and printing the laws in newspapers, five thousand five hundred dollars.

For compensation to the secretary of the treasury, clerks, and persons employed in his office, including the sum of one thousand seven hundred and fifty dollars for clerk hire, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,† sixteen thousand seven hundred dollars.

For the secretary of the treasury, clerks, &c.

For expense of translating foreign languages, allowance to the person employed in transmitting passports and sealetters, and for stationery and printing, in the office of the secretary of the treasury, one thousand dollars.

[† Ante, ch. 41.]  
For translating foreign languages, &c. in the office of the secretary of the treasury.

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, including the sum of one thousand six hundred and thirty-nine dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,‡ fourteen thousand six hundred and sixteen dollars.

For the comptroller of the treasury, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses of the comptroller's office, five hundred dollars.

[‡ Ante, ch. 41.]

For compensation to the auditor of the treasury, clerks, and persons employed in his office, twelve thousand two hundred and twenty-one dollars.

For contingent expenses of the comptroller's office.  
For the auditor, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses of the auditor's office, five hundred dollars.

For contingent expenses of the auditor's office.

For compensation to the treasurer, clerks, and persons employed in his office, six thousand two hundred and twenty-seven dollars and forty-five cents.

For the treasurer, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses in the treasurer's office, three hundred dollars.

For contingent expenses in the treasurer's office.

For compensation to the register of the treasury, clerks, and persons employed in his office, sixteen thousand fifty-two dollars and two cents.

For the register, clerks, &c.

For compensation to the messenger of the register's office for stamping and arranging the ships' registers, ninety dollars.

For stamping and arranging ships' registers.

For expense of stationery, printing, and all other incidental and contingent expenses in the register's office, including books for the public stocks, and for the arrangement of the marine records, two thousand eight hundred dollars.

For stationery, printing, &c. in the register's office.

For fuel, and other contingent and incidental expenses of the treasury department, four thousand dollars.

For fuel, &c. for the treasury department.

For the purchase of books, maps, and charts, for the use of the treasury department, four hundred dollars.

For the purchase of books, &c. for the treasury department.

For compensation to a superintendent, employed to secure the buildings and records of the treasury department, during the year

For a superintendent employed to secure the

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Buildings and records of the treasury department, expense of watchmen, &c. For stating and printing the public accounts.

one thousand eight hundred and eleven, including the expense of two watchmen, the repairs of two fire engines, buckets, lanterns, and other incidental and contingent expenses, one thousand one hundred dollars.

For defraying the expense of stating and printing the public accounts, for the year one thousand eight hundred and eleven, one thousand two hundred dollars.

For the secretary of the commissioners of the sinking fund. For the secretary of war, clerks, &c.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

For compensation to the secretary of war, clerks, and persons employed in his office, eleven thousand two hundred and fifty dollars.

For contingent expenses of the office of the secretary of war.

For expense of fuel, stationery, printing, and other contingent expenses of the office of the secretary of war, one thousand dollars.

For the accountant of the war department, clerks, &c.

For compensation to the accountant of the war department, clerks, and persons employed in his office, ten thousand nine hundred and ten dollars.

For contingent expenses in the accountant's office.

For contingent expenses in the office of the accountant of the war department, one thousand dollars.

For clerks in the paymaster's office.

For compensation to the clerks employed in the paymaster's office, three thousand four hundred dollars.

For contingent expenses in the same.

For contingent expenses in the said office, two hundred dollars.

For the purveyor of public supplies, clerks, &c.

For compensation to the purveyor of public supplies, clerks, and persons employed in his office, and for expense of stationery, store rent, and fuel, for said office, including the sum of five hundred dollars for compensation to clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,\* five thousand one hundred dollars.

[\* Ante, ch. 41.]

For additional clerks in the office of superintendent of Indian trade.

For compensation of additional clerks in the office of the superintendent of Indian trade, eight hundred dollars.

For the secretary of the navy, clerks, &c.

For compensation to the secretary of the navy, clerks, and persons employed in his office, nine thousand eight hundred and ten dollars.

For contingent expenses in the secretary of the navy's office.

For expense of stationery, fuel, printing, and other contingent expenses in the said office, two thousand dollars.

For the accountant of the navy, clerks, &c.

For compensation to the accountant of the navy, clerks, and persons employed in his office, ten thousand four hundred and ten dollars.

For contingent expenses in the accountant's office.

For contingent expenses in the office of the accountant of the navy, one thousand dollars.

For the postmaster general, assistant postmaster general, clerks, &c.

For compensation to the postmaster general, assistant postmaster general, clerks, and persons employed in the postmaster general's office, including the sum of two thousand seven hundred and forty-five dollars, for compensation to clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,† and the sum of eight hundred and fifty-seven dollars for deficiencies in the appropriation of the year one thousand eight hundred and ten, nineteen thousand seven hundred and fifty-seven dollars and seventy-eight cents.

[† Ante, ch. 41.]

For fuel, candles, stationery, &c.

For the expense of fuel, house rent for the messenger, can-

des, stationery, chests, &c. incident to the postmaster general's office, two thousand five hundred dollars.

For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars.

For compensation to the clerks of the commissioners of loans, and for allowances to certain loan officers in lieu of clerk hire, and to defray the authorized expense of the several loan offices, fifteen thousand dollars.

For compensation to the surveyor general and his clerks, three thousand two hundred dollars.

For compensation to the surveyor of the lands south of Tennessee, clerks employed in his office, and for stationery, and other contingencies, three thousand seven hundred dollars.

For compensation to the officers of the mint, viz:

The director, two thousand dollars:

The treasurer, one thousand two hundred dollars:

The assayer, one thousand five hundred dollars:

The chief coiner, one thousand five hundred dollars:

The melter and refiner, one thousand five hundred dollars:

The engraver, one thousand two hundred dollars:

One clerk, at seven hundred dollars; and

Two clerks, at five hundred dollars each.

For wages to the persons employed in melting, coining, carpenter's, millwright's, and smith's work, including the sum of one thousand dollars allowed to an assistant coiner and die forger, who also oversees the execution of the iron work, and of six hundred dollars allowed to an assistant engraver, eight thousand dollars.

For repairs of furnaces, cost of rollers and screws, timber, bar iron, lead, steel, potash, and for all other contingencies of the mint, two thousand seven hundred and seventy-five dollars.

For an allowance for wastage in the gold and silver coinage, including a deficiency in the appropriation for the year one thousand eight hundred and ten, arising from the increase of the coinage for that and several antecedent years, six thousand eight hundred dollars.

For compensation to the governor, judges, and secretary, of the territory of Orleans, thirteen thousand dollars.

For expense of stationery, and other contingent expenses of said territory, including the sum of one thousand dollars for a deficiency in the appropriation for the year one thousand eight hundred and ten, two thousand eight hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Mississippi territory, including the sum of one thousand one hundred and thirteen dollars and thirty-three cents, for a deficiency in the appropriation for the year one thousand eight hundred and ten, ten thousand one hundred and thirteen dollars and thirty-three cents.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Indiana territory, six thousand six hundred dollars.

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incident to the postmaster general's office.  
For the several loan officers.

For the clerks of the commissioners of loans, &c.

For the surveyor general and clerks.

For the surveyor of the lands south of Tennessee, clerks, &c.

For the officers of the mint

Director.

Treasurer.

Assayer.

Chief coiner.

Melter and refiner.

Engraver.

Clerks.

For wages to persons employed in melting, coining, &c.

For contingencies of the mint establishment.

For an allowance for wastage in the gold and silver coinage, &c.

For the governor, judges, &c. of the territory of Orleans.

For contingent expenses of the territory of Orleans, &c.

For the governor, judges, &c. of the Mississippi territory, &c.

For contingent territorial expenses.

For the governor, judges, &c. of the Indiana territory.



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For contingent territorial expenses.

For the governor, judges, &c. of the Michigan territory.

For contingent territorial expenses.

For the governor, judges, &c. of the Louisiana territory.

For contingent territorial expenses.

For the governor, judges, &c. of the Illinois territory.

For contingent territorial expenses.

For demands, not otherwise provided for, admitted at the treasury, &c.

For additional compensation to the clerks in the several departments, and of the general post office, not exceeding 15 per cent, &c.

[\* Ante, ch. 41.]

For the judges, and the attorney general.

For district attorneys.

For the compensation to the several marshals of Maine, &c.

For defraying the expenses of courts, jurors, and witnesses, in aid of the funds arising from fines, &c.

For the payment of sundry pensions, &c.

For the annual allowance to the invalid pensioners.

For the support of lighthouses, beacons, buoys, &c.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Michigan territory, six thousand six hundred dollars.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Louisiana territory, six thousand six hundred dollars.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Illinois territory, six thousand six hundred dollars.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, two thousand dollars.

For additional compensation to the clerks in the several departments of state, treasury, war, and navy, and of the general post office, not exceeding, for each department, respectively, fifteen per centum, in addition to the sums allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"\* thirteen thousand two hundred and sixty-nine dollars and thirty-two cents.

For compensation granted by law to the chief justice, the associate judges, and district judges, of the United States, including the chief justice and two associate judges for the district of Columbia, to the attorney general, and to the district judge of the territory of Orleans, fifty-nine thousand four hundred dollars.

For the like compensation granted to the several district attorneys of the United States, three thousand four hundred dollars.

For compensation granted to the several marshals for the districts of Maine, New Hampshire, Vermont, New Jersey, North Carolina, Kentucky, Ohio, East and West Tennessee, and Orleans, two thousand two hundred dollars.

For defraying the expenses of the supreme, circuit, and district, courts of the United States, including the district of Columbia, and of jurors, and witnesses, in aid of the funds arising from fines, forfeitures, and penalties, and for defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, forty thousand dollars.

For the payment of sundry pensions granted by the late and present government, nine hundred and sixty dollars.

For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March, one thousand eight hundred and eleven, to the fourth of March, one thousand eight hundred and twelve, ninety-eight thousand dollars.

For the maintenance and support of lighthouses, beacons, buoys, and public piers, stakeages of channels, bars, and shoals, and certain contingent expenses, sixty-eight thousand nine hundred and sixty-five dollars and thirty-nine cents.

For erecting lighthouses at the mouth of the Mississippi, and at or near the Pitch of Cape Look Out, in North Carolina, being the amount of an additional appropriation carried to the surplus fund, twenty thousand dollars.

For building a lighthouse on the south point of Cumberland Island, in Georgia, being the amount of a former appropriation carried to the surplus fund, four thousand dollars.

For erecting a lighthouse on the south point of Sapelo island, in Georgia, and for placing certain buoys and beacons on Dobay Bar and Beach Point, being the balance of former appropriations carried to the surplus fund, six thousand seven hundred and eighty-nine dollars and six cents.

For erecting a lighthouse on Point Judith, being the balance of a former appropriation carried to the surplus fund, one hundred and sixty-eight dollars and sixty-seven cents.

For erecting two lights on lake Erie, viz: on or near Bird Island, and on or near Presqu'isle, in addition to the appropriation heretofore made for that purpose, four thousand dollars.

For defraying the expense of surveying the public lands within the several territories of the United States, one hundred thousand dollars.

For paying for the printing of new ships' registers, including the cost of paper, the balance of a former appropriation of one thousand one hundred and forty dollars, for this object, having been heretofore carried to the surplus fund, one thousand five hundred dollars.

For discharging the expense of the third enumeration of the inhabitants of the United States, and that of taking an account of their manufactures, one hundred and fifty thousand dollars.

For expenses of intercourse with foreign nations, forty-seven thousand dollars.

For expenses of intercourse with the Barbary powers, fifty thousand dollars.

For the contingent expenses of government, the balance of former appropriations for that object having been carried to the surplus fund, twenty thousand dollars.

For the relief and protection of distressed American seamen, five thousand dollars.

For expenses of prosecuting claims and appeals in the courts of Great Britain, in relation to captures of American vessels, and defending causes elsewhere, four thousand dollars.

For compensation allowed George W. Erving, as agent in receiving and paying awards of the board of commissioners, under the seventh article of the British treaty,\* estimated at two and a half per cent. on the amount of such awards as were actually received by him, twenty-two thousand three hundred and ninety-two dollars and sixty-seven cents.

For payment of the claim of Patrick Donnon, late surveyor of the county of Hardy, in Virginia, being his compensation under the act of congress, passed May thirteenth, one thousand eight hundred, "to enlarge the powers of the surveyors of the revenue,"† for valuing, recording, and adding to, the tax lists sundry

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For erecting lighthouses at the mouth of the Mississippi, and at or near the Pitch of Cape Look Out, &c.  
For building a lighthouse on the south point of Cumberland Island, &c.  
For erecting a lighthouse on the south point of Sapelo Island, and placing buoys and beacons on Dobay Bar and Beach Point.  
For erecting a lighthouse on Point Judith, &c.  
For erecting two lights on lake Erie, &c.  
For surveying the public lands, &c.  
For the printing of new ships' registers, &c.  
For the expense of the third census, and taking an account of manufactures.  
For expenses of foreign intercourse.  
For intercourse with the Barbary powers.  
For the contingent expenses of government.  
For the relief, &c. of American seamen.  
For prosecuting claims and appeals in the courts of Great Britain, in relation to captures of American vessels, &c.  
For compensation allowed George W. Erving, as agent in receiving and paying awards of the board of commissioners under the 7th art. of the British treaty, &c.  
[\* See page 211, vol. 1.]  
For payment of the claim of Patrick Donnon, late surveyor of the county of Hardy, in Virginia, under the act to enlarge the powers of the surveyors of the revenue, &c.  
[Ch. 214, vol. 3.]

**1811.** tracts of land and dwelling houses omitted by the assessors, there not being a sufficient balance due for direct tax from Virginia for satisfying this claim, seven hundred and twenty-eight dollars and eighty-five cents.

For payment of expenditures made by James Simmons, late collector of Charleston, &c. for the navy department, &c.

For payment of expenditures made by James Simmons, late collector of Charleston, from January first, one thousand seven hundred and ninety-nine, to December thirty-first, one thousand eight hundred and five, for the navy department, as admitted on settlement of his account at the treasury, nine thousand three hundred and seventy-nine dollars and three cents.

For the discharge of miscellaneous claims not otherwise provided for, admitted at the treasury.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, four thousand dollars.

For the payment of a balance due the estate of the late major general Anthony Wayne, &c. [*Ante*, ch. 263.]

For the payment of a balance due the estate of the late major general Anthony Wayne, in conformity with the act, passed at the present session, entitled "An act for the relief of the heirs of the late major general Wayne,"\* five thousand eight hundred and seventy dollars and thirty-four cents.

The preceding appropriations to be paid out of the fund reserved, &c. [*See* chap. 61, vol. 2.]

**SECT. 2.** *And be it further enacted*, That the several appropriations hereinbefore made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by an act making provision for the debt of the United States,† and out of any moneys in the treasury, not otherwise appropriated.

[*Approved*, February 20, 1811.]

**CHAP. 300. [XC.]** This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

**CHAP. 301. [XCI.]** An act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the commissioners appointed by an act of the legislature of the state of Tennessee, passed on the fourteenth day of November, one thousand eight hundred and nine, to fix on a site for the town of Pulaski, in the county of Giles, and state aforesaid, and their successors in office, be, and they are hereby, authorized, on producing a receipt from the receiver of public moneys, for at least one-twentieth part of the purchase money, to enter, with the register of the land office, established for the lands ceded to the United States by the Cherokee and Chickasaw Indians, in the Mississippi territory, a tract of land lying in a regular square, and containing six hundred and forty acres, which has or may be fixed on as a site for the town of Pulaski, as aforesaid, at the same price, and on the same terms and conditions of payment, as are provided with respect to the other public lands sold at private sale at the said office; and on completing the payment of the purchase money, a patent shall be granted therefor to the said

The commissioners appointed by an act of the legislature of Tennessee, &c. to fix on a site for the town of Pulaski, &c. authorized, on producing a receipt from the receiver of public moneys, for 1-20th part of the purchase money, to enter, &c. a tract of 640 acres, &c. at the same price, &c. as other public lands sold at private sale, &c.

On completing the payment, a patent to be granted, in trust,

commissioners and their successors in office, in trust, for the use of the said county of Giles, for the purpose aforesaid.

**SECT. 2.** *And be it further enacted,* That the commissioners appointed by an act of the legislature of the Indiana territory, to fix on a proper site for the permanent seat of government for the said territory, be, and they are hereby, authorized, and their successors in office, so soon as the surveys under the authority of the United States shall have been made of the lands which they shall select, and on producing a receipt from the receiver of public moneys, for at least one-twentieth part of the purchase money, to enter with the register of the land office for the district in which the land lies, any four quarter sections of land adjoining to each other, which have not been reserved by any former act of congress, and which the said commissioners may select and fix on as a site for the permanent seat of government for the said territory; and payment shall be made therefor at the same price, and on the same terms and conditions, as are provided in respect to the other public lands sold at private sale in the same district; and, on completing the payment of the purchase money, a patent shall be granted therefor, to the said commissioners and their successors in office, in trust, for the use of said territory, for the purpose aforesaid.

[Approved, February 25, 1811.]

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for the use of the county of Giles, &c.

The commissioners appointed by an act of the legislature of Indiana, to fix on a proper site for the permanent seat of government for that territory, authorized, &c. as soon as surveys have been made of the lands which they may select, and on producing a receipt from the receiver, &c. for at least 1-20th part of the purchase money, to enter with the register, &c. any four quarter sections, &c.

On completing the payment, &c. a patent to be granted, &c. in trust for the use of the territory, &c.

**CHAP. 302. [XCII.]** An act providing for the removal of the land office established at Nashville, in the state of Tennessee, and Canton, in the state of Ohio; and to authorize the register and receiver of public moneys to superintend the public sales of land in the district east of Pearl river.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he hereby is, authorized to remove the land office established for the sale of the public lands ceded to the United States by the Cherokee and Chickasaw Indians, in the Mississippi territory, from Nashville, to such place, within the district for which it was established, as he may judge most proper; and to remove the land office from Canton, in the state of Ohio, to some suitable place within the district for which it was established.\*

The president authorized to remove the land office from Nashville, to such place, within the district for which it was established, &c. and to remove the land office from Canton, &c. to some suitable place, &c. [\*See chap. 716, post.]

**SECT. 2.** *And be it further enacted,* That the public sales of the public lands, in the district east of Pearl river, in the Mississippi territory, and also in the district of Kaskaskia, in the Illinois territory, be conducted under the superintendence alone of the register and receiver of public moneys for the said districts, who are hereby authorized and empowered to superintend the same, in their respective districts, any law to the contrary notwithstanding; and they shall receive the compensation provided by law for the superintendents of public sales in the districts aforesaid.

The public sales of land in the district east of Pearl river, and in that of Kaskaskia, to be conducted under the superintendence of the register and receiver, &c. and they are to receive the compensation provided by law for superintendents, &c.

**SECT. 3.** *And be it further enacted,* That if any tract of the public lands, which has been sold, or may hereafter be sold, in

where a land of

1811. any state or territory, wherein a land office is or may be established, and on which complete payment has not, or may not have, been made, within the time prescribed by law for completing the same, and the tract having been advertised for sale agreeably to law, it shall be lawful to offer the same for sale at public vendue, at the time and place of the sitting of the court for the county in which the land office is kept for the district to which the tract belongs, whether the court shall be denominated a court of quarter sessions, or by whatever other designation it may be known. [Approved, February 25, 1811.]

See is established, and complete payment thereon has not been made within the time prescribed, the tract having been advertised for sale, &c. the same may be offered at public vendue, at the time and place of sitting of the court for the county, &c.

#### CHAP. 303. [XCIII.] An act establishing navy hospitals.

The money to be collected by virtue of the act in addition to the act for the relief of sick and disabled seamen, to be paid to the secretaries of the navy, treasury, and war, who are appointed commissioners of navy hospitals, &c.

[Ch. 142, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the money hereafter collected by virtue of the act, entitled "An act in addition to 'An act for the relief of sick and disabled seamen,'"\* shall be paid to the secretary of the navy, the secretary of the treasury, and the secretary of war, for the time being, who are hereby appointed a board of commissioners, by the name and stile of Commissioners of Navy Hospitals, which, together with the sum of fifty thousand dollars, hereby appropriated, out of the unexpended balance of the marine hospital fund, to be paid to the commissioners aforesaid, shall constitute a fund for navy hospitals.

Fines imposed on navy officers; seamen, &c. to be paid to the commissioners; &c.

SECT. 2. *And be it further enacted,* That all fines imposed on navy officers, seamen, and marines, shall be paid to the commissioners of navy hospitals.

The commissioners of navy hospitals required to procure proper sites for navy hospitals, &c. The commissioners, at one of the establishments, to provide a permanent asylum for decrepid navy officers, &c.

SECT. 3. *And be it further enacted,* That the commissioners of navy hospitals be, and they are hereby, authorized and required to procure, at a suitable place or places, proper sites for navy hospitals, and if the necessary buildings are not procured with the site, to cause such to be erected, having due regard to economy, and giving preference to such plans as, with most convenience and least cost, will admit of subsequent additions, as the funds will permit and circumstances require; and the commissioners are required, at one of the establishments, to provide a permanent asylum for disabled and decrepid navy officers, seamen, and marines.

The secretary of the navy required to prepare rules and regulations for the institution, and report them to congress.

SECT. 4. *And be it further enacted,* That the secretary of the navy be authorized and required to prepare the necessary rules and regulations for the government of the institution, and report the same to the next session of congress.

When any navy officer, seaman, &c. is admitted into a navy hospital, the institution is to be allowed a ration per day, &c. to be deducted from the officer or a seaman's account, &c. and when officers, seamen, &c. who are pensioners, are admitted, the pension to be paid to the commis-

SECT. 5. *And be it further enacted,* That, when any navy officer, seaman, or marine, shall be admitted into a navy hospital, that the institution shall be allowed one ration per day during his continuance therein, to be deducted from the account of the United States, with such officer, seaman, or marine; and, in like manner, when any officer, seaman, or marine, entitled to a pension, shall be admitted into a navy hospital, such pension, during his continuance therein, shall be paid to the commissioners of

the navy hospitals, and deducted from the account of such pensioner. [Approved, February 26, 1811.]

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sioners, &c. and  
deducted, &c.

CHAP. 304. [XCIV.] An act for the relief of Peter Audrain.\*

[\* Private and  
obsoletc.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* there be allowed to Peter Audrain the sum of seven hundred dollars, being a balance due, as a compensation for two years' services as clerk to the board of land commissioners at Detroit, from the first of July, one thousand eight hundred and seven, to the first of July, one thousand eight hundred and nine; and that the same be paid to him out of any money in the treasury, not otherwise appropriated. [Approved, February 26, 1811.]

700 dols. allow-  
ed to Peter An-  
drain, being a  
balance of com-  
pensation for  
two years' ser-  
vices as clerk to  
the board of  
land commis-  
sioners at De-  
troit, &c. to be  
paid out of the  
treasury, &c.

CHAP. 305. [XCV.] An act in addition to the act, entitled "An act supplementary to the act concerning consuls and vice consuls," and for the further protection of American seamen."†

[† See orig. act;  
of Feb. 28, 1803;  
chap. 325, vol. 3.]  
In all cases  
where distressed  
seamen, &c.  
have been trans-  
ported from for-  
eign ports  
where there was  
no consul, &c. of  
the United  
States; to the  
United States,  
the master or  
owner of the  
vessel transport-  
ing them to be  
allowed such  
reasonable addi-  
tional compensa-  
tion as may be  
deemed equita-  
ble by the comp-  
troller, &c.  
[‡ See sec. 4,  
chap. 325, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* in all cases where distressed mariners and seamen of the United States have been transported from foreign ports where there was no consul, vice consul, commercial agent, or vice commercial agent, of the United States, to ports of the United States; and in all cases where they shall hereafter be so transported, there shall be allowed to the master or owner of each vessel in which they shall or may have been transported, such reasonable compensation, in addition to the allowance now fixed by law,‡ as shall be deemed equitable by the comptroller of the treasury.

[Approved, February 28, 1811.]

CHAP. 306. [XCVI.] An act supplementary to the act, entitled "An act concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes."§

[§ Repeal d, by  
act of 14th April,  
1814; chap. 644.  
post. See orig-  
act, of May 1,  
1810; ante, chap.  
264.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* no vessel owned wholly by a citizen or citizens of the United States, which shall have departed from a British port prior to the second day of February, one thousand eight hundred and eleven, and no merchandise owned wholly by a citizen or citizens of the United States, imported in such vessel, shall be liable to seizure or forfeiture, on account of any infraction or presumed infraction of the provisions of the act|| to which this act is a supplement.

Vessels owned  
wholly by citi-  
zens, which de-  
parted from a  
British port  
prior to the 2d  
of Feb. 1811, and  
merchandise  
owned wholly  
by citizens im-  
ported therein,  
not liable to sei-  
zure, &c. on ac-  
count of any in-  
fraction, &c. of  
the provisions of  
the act referred,  
to.

SECT. 2. *And be it further enacted, That* in case Great Britain shall so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, the president of the United States shall declare the fact by proclamation; and

[|| See ante, chap.  
264.]  
In case Great  
Britain so re-  
vokes or mod-  
ifies her edicts, as  
that they cease  
to violate the  
neutral com-

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mercy of the United States, the president to declare the fact by proclamation, which proclamation is to be the only evidence of such revocation. &c. in any suit, &c. [See ante, chap. 264.] Until the proclamation has been issued, the provisions of the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 18th sections of the act mentioned, to be immediately carried into effect against Great Britain, &c. [Ante, ch. 194.] *Provided*, vessels or merchandise sold, &c. prior to the fact being ascertained whether Great Britain, on or before the 2d Feb. 1811, revokes or modifies her edicts, to be restored, on application of the parties, and their giving bond, &c. to abide the decision of the proper court, &c. The bond to be considered as satisfied, if Great Britain shall have revoked or modified, &c. *Provided*, nothing herein to affect vessels, &c. owned by citizens, which had cleared out for the Cape of Good Hope prior to 10th Nov. 1810.

such proclamation shall be admitted as evidence, and no other evidence shall be admitted, of such revocation or modification, in any suit or prosecution which may be instituted under the fourth section of the act\* to which this act is a supplement. And the restrictions imposed, or which may be imposed by virtue of the said act, shall, from the date of such proclamation, cease and be discontinued.

SECT. 3. *And be it further enacted*, That, until the proclamation aforesaid shall have been issued, the several provisions of the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, and eighteenth, sections of the act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,"† shall have full force, and be immediately carried into effect against Great Britain, her colonies and dependencies: *Provided, however*, That any vessel or merchandise which may, in pursuance thereof, be seized, prior to the fact being ascertained, whether Great Britain shall, on or before the second day of February, one thousand eight hundred and eleven, have revoked or modified her edicts in the manner abovementioned, shall, nevertheless, be restored, on application of the parties, on their giving bond, with approved sureties, to the United States, in a sum equal to the value thereof, to abide the decision of the proper court of the United States thereon; and any such bond shall be considered as satisfied, if Great Britain shall, on or before the second day of February, one thousand eight hundred and eleven, have revoked or modified her edicts in the manner abovementioned: *Provided also*, That nothing herein contained shall be construed to affect any ships or vessels, or the cargoes of ships or vessels, wholly owned by a citizen or citizens of the United States, which had cleared out for the Cape of Good Hope, or for any port beyond the same, prior to the tenth day of November, one thousand eight hundred and ten.

[Approved, March 2, 1811.]

CHAP. 307. [XCVII.] An act for establishing trading houses with the Indian tribes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That it shall be lawful for the president of the United States to establish trading houses, at such posts and places on the frontiers, or in the Indian country, on either or both sides of the Mississippi river, as he shall judge most convenient, for the purpose of carrying on a liberal trade with the several Indian nations within the United States or their territories.

SECT. 2. *And be it further enacted*, That the president of the United States shall be authorized to appoint a superintendent of Indian trade, whose duty it shall be to purchase and take charge of all goods intended for trade with the Indian nations aforesaid and to transmit the same to such places as he shall be directed

The president may establish trading houses, on either or both sides of the Mississippi, &c. for carrying on a liberal trade with the Indian nations, &c.

The president authorized to appoint a superintendent of Indian trade, who is to purchase and take charge of all goods, &c.

by the president; and he shall take an oath or affirmation, *faithfully to execute the trust committed to him: and that he will not, directly or indirectly, be concerned or interested in any trade, commerce, or barter, restricted by this law, and except on the public account*; and he shall also give bond, in the penal sum of twenty thousand dollars, with sufficient security, to be approved of by the secretary of the treasury of the United States, truly and honestly to account for all money, goods, and other property whatever, which shall come into his hands, or for which, in good faith, he ought so to account, and to perform all the duties required of him by this act; and he shall render to the secretary of the treasury a quarter yearly account of all his receipts and expenditures of cash, purchases, and transmittals, of goods, for the Indian trade, to be settled and adjusted by the accounting officer of the treasury, as other public accounts.

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The superintendent to take an oath, &c.

And give bond, with security, honestly to account for all money, goods, &c.

The superintendent to render to the secretary of the treasury a quarter yearly account of receipts and expenditures, &c.

SECT. 3. *And be it further enacted*, That the superintendent of Indian trade shall receive an annual salary of two thousand dollars, payable quarter yearly, at the treasury of the United States.

The superintendent of Indian trade to receive an annual salary of 2,000 dollars, payable quarter yearly, &c.

SECT. 4. *And be it further enacted*, That the president of the United States shall be authorized to appoint an agent, (and, when he shall deem it proper, an assistant agent,) for each trading house establishment, established under the provisions of this act; and every such agent and assistant agent shall give bond, with sufficient security, in such sum as the president shall direct, truly and honestly to account for all the money, goods, and other property whatever, which shall come into his hands, and for which he ought so to account; and to perform all the duties required of him by this act; and shall take an oath or affirmation, *faithfully to execute the trust committed to him, and that he will not, directly or indirectly, be concerned or interested in any trade, commerce, or barter, but on the public account*.

The president authorized to appoint an agent, &c. for each trading house establishment; each agent, &c. to give bond, with security, honestly to account for all money and goods.

Each agent, &c. to take an oath, &c.

SECT. 5. *And be it further enacted*, That it shall be the duty of each of the said agents to receive, from the superintendent of Indian trade, and dispose of in trade with the Indian nations aforesaid, such goods as may be transmitted to him by the superintendent, to be received and disposed of as aforesaid, according to the rules and orders which the president of the United States shall prescribe; and he shall render an account, quarter yearly, to the superintendent of Indian trade, of all money, goods, and other property whatsoever, which shall be transmitted to him, or which shall come into his hands, or for which, in good faith, he ought to account; and he shall transmit duplicates of his accounts to the secretary of the treasury of the United States.

Each agent is to receive from the superintendent of Indian trade, and dispose of in trade with the Indian nations, such goods as may be transmitted to him, &c. Each agent to render an account, quarter yearly, to the superintendent, &c. and transmit duplicates to the secretary of the treasury. The superintendent of Indian trade, &c. not to be concerned, &c. in carrying on trade, &c. in any of the goods, &c. bought for, or received from, the Indians, nor be owner of any sea vessel, nor apply to their use any gain not allowed, &c. for transacting business, &c.

SECT. 6. *And be it further enacted*, That the superintendent of Indian trade, the agents, or their clerks, or other persons employed by them, shall not be, directly or indirectly, concerned or interested in carrying on trade or commerce in any of the goods or articles bought for, or supplied to, or received from, the Indians, or shall be owner, in whole or in part, of any sea vessel, or shall take or supply to his or their use any gain or emolument for negotiating or transacting any business in the Indian depart-



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Agents, &c. not to be concerned, &c. in carrying on trade or commerce, on any other than the public account, &c.

If the superintendent or agents offend against the aforesaid prohibitions, they forfeit not exceeding 1,000 dollars, will be removed from office, and rendered incapable, &c.

Provido; if any other than a public prosecutor gives information of the offence, &c. one-half of the penalty to be for the use of the informer.

Provido; if the misdemeanor be committed by the superintendent, or by any agent, &c. it will be deemed a breach of the condition of his bond, &c.

The prices of goods to be paid for by Indians, to be regulated so that the capital stock shall not be diminished.

If any agent, &c. purchases or receives from any Indian, in the way of trade, &c. any gun, &c. or instrument of husbandry, &c. or article of clothing, except skins or furs, he will forfeit 100 dollars, to be recovered by action of debt, &c.

Provido; no suit to be commenced except in the state, &c. where the cause of action has arisen, or in which the defendant resides.

Superintendents, &c. and their deputies, upon information, &c. to collect evidence to prosecute offenders, &c.

Goods for annuities to Indian nations, &c. for treaties, and for presents, to be purchased and transmitted, &c. by the superintendent of Indian trade, upon orders from the department of war, &c.

ment, other than what shall be allowed by law; and that the said agents, assistant agents, or any persons employed by them, shall not be, directly or indirectly, concerned or interested in carrying on the business of trade or commerce, on their own or any other than the public account, or take or apply, to his or their use, any emolument or gain for negotiating any such business, during their appointment, agency, or employment, respectively, other than provided by this act, or excepting for and on account of the United States; and if any such persons shall offend against any of the prohibitions aforesaid, he shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, forfeit to the United States a sum not exceeding one thousand dollars, and shall be removed from such office, agency, or employment, and forever thereafter be incapable of holding any office under the United States: *Provided*, That if any person, other than a public prosecutor, shall give information of any such offence, upon which a prosecution and conviction shall be had, one-half of the aforesaid penalty, when recovered, shall be for the use of the person giving such information: *And provided also*, That if such misdemeanor be committed by the superintendent of Indian trade, or by any agent or assistant agent, it shall be deemed a breach of the condition of his bond, and the penalty thereof may be recovered in any court having competent jurisdiction of the same.

SECT. 7. *And be it further enacted*, That the prices of goods supplied to, and to be paid for by, the Indians, shall be regulated in such manner, that the capital stock furnished by the United States shall not be diminished.

SECT. 8. *And be it further enacted*, That if any agent or agents, their clerks, or other person employed by them, shall purchase or receive from any Indian, in the way of trade or barter, any gun, or other article commonly used in hunting, any instrument of husbandry, or cooking utensil, of the kind usually obtained by Indians in their intercourse with white people, or any article of clothing, excepting skins or furs, he or they shall, respectively, forfeit the sum of one hundred dollars for each offence, to be recovered, by action of debt, in the name and to the use of the United States, in any court having jurisdiction in like cases: *Provided*, That no suit shall be commenced, except in the state or territory within which the cause of action shall have arisen, or in which the defendant may reside; and it shall be the duty of the superintendent of Indian trade, or of the superintendents of Indian affairs, and their deputies, respectively, to whom information of every such offence shall be given, to collect the requisite evidence, if attainable, to prosecute the offender without delay.

SECT. 9. *And be it further enacted*, That the goods requisite for annuities to the Indian nations, within the United States and the territories thereof, and for treaties with them, and for presents to be made them at the seat of government, or elsewhere, shall, henceforward, be purchased and transmitted to the proper posts and places, by the superintendent of Indian trade, upon orders from the department of war, and the accounts therefor shall be rendered to the war department.

**SECT. 10.** *And be it further enacted,* That during the continuance of this act, the annual sum of two thousand dollars, for the payment of the salary of the superintendent of Indian trade, and the annual sum of two thousand five hundred dollars, for the payment of the clerks in his office (including the sum of eight hundred dollars, allowed for an additional clerk, by the act passed on the twenty-sixth day of February, one thousand eight hundred and ten,\*) are hereby appropriated, to be paid out of any money in the treasury of the United States, not otherwise appropriated.

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2,000 dolls. annually, appropriated for the payment of the superintendent; and 2,500 dolls. for the payment of clerks in his office, including, &c.

[\* See ante, ch. 338.]

**SECT. 11.** *And be it further enacted,* That during the continuance of this act, the president of the United States be, and he is hereby, authorized to draw, annually, from the treasury of the United States, a sum not exceeding fourteen thousand seven hundred and fifty dollars, to be applied, under his direction, to the payment of the agents, assistant agents, and clerks, at the trading houses; which agents shall be allowed to draw, out of the public supplies, two rations each, and each clerk one ration, per day, which rations, or such payments as may be made in lieu thereof, by the order of the president, shall be charged to the trading fund; and the president shall cause an annual report to be made to congress of how much of the sum so authorized has been drawn, and in what manner the same has been applied.

The president authorized to draw, annually, not exceeding 14,750 dolls. to be applied to the payment of agents, clerks, &c.

Each agent to draw two rations, and each clerk one, per day, &c. to be charged to the trading fund.

The president to cause an annual report to be made to congress.

**SECT. 12.** *And be it further enacted,* That the sum of two hundred and sixty thousand dollars, appropriated by the tenth section of the act, entitled "An act for establishing trading houses with the Indian tribes,"† approved twenty-first April, one thousand eight hundred and four,‡ and the sum of forty thousand dollars, appropriated by the act, entitled "An act supplemental to the act, entitled 'An act for establishing trading houses with the Indian tribes,'§ approved third March, one thousand eight hundred and nine, shall be, and remain, a fund for the purpose of carrying on trade and intercourse with the Indian nations, in the manner provided by this act, exclusive of the salary of the superintendent of Indian trade, and of the allowances to agents, assistant agents, and clerks.

260,000 dolls. and the sum of 40,000 dolls. appropriated by the acts mentioned, to remain a fund for carrying on trade, &c. with the Indian nations.

[† Ante, ch. 48.]  
[‡ It should be 1806.]

[§ Ante, ch. 205.]

**SECT. 13.** *And be it further enacted,* That it shall be the duty of said superintendent of Indian trade, under the direction of the president of the United States, and upon such terms and conditions as he shall prescribe, to cause the furs and peltry, and other articles, acquired in trade with the Indian nations, to be sold at public auction, in different parts of the United States, or otherwise disposed of, as may be deemed most advantageous to the United States.

The superintendent of Indian trade, &c. to cause the furs and peltry, &c. acquired in trade with the Indian nations, to be sold at public auction, in different parts of the United States, &c.

**SECT. 14.** *And be it further enacted,* That if the president should deem it expedient to establish, under the authority of this act, trading houses, in addition to the number now in operation, for the purposes of carrying on a trade with the Indian tribes within the United States or their territories, the expenses for each trading house so established, shall not exceed the following sums of money, in addition to the appropriations already made by this act, viz: For the principal agent, an annual sum, not exceeding one thousand dollars; for an assistant agent, if ne-

If the president deems it expedient, under this act, to establish additional trading houses, &c. the expenses for each trading house not to exceed the sums specified, in addition, &c.

1811. cessary, an annual sum, not exceeding five hundred dollars; to be drawn by the president out of any moneys in the treasury, not otherwise appropriated.

The acts mentioned, concerning trading houses with the Indian tribes, repealed.  
[ Ante, ch. 48.]

[ Ante, ch. 305.]

[ It ought to be the 3d.]  
Provido; nothing herein to exonerate persons who have not performed their duties, or have violated any of the prohibitions, contained in the acts repealed; but as to bonds, &c. the repealed acts to have force and effect, &c.

Provido; the superintendent of Indian trade, agents, &c. to continue to hold their offices, &c.

Bonds, &c. for the faithful execution of duties and offices, to continue to have force, &c.

This act to be in force from the 1st April, 1811, until, &c.  
[ Continued until the 4th of March, 1817, by act of 3d March, 1815; chap. 780, post.]

SECT. 15. *And be it further enacted*, That, from and after the first day of April next, an act, entitled "An act for establishing trading houses with the Indian tribes,"\* approved on the twenty-first of April, one thousand eight hundred and six, and an act entitled "An act supplemental to the act, entitled 'An act for establishing trading houses with the Indian tribes,'"† approved on the fourth day of March, one thousand eight hundred and nine, shall be, and the same are hereby, repealed: *Provided*, That nothing herein contained shall be construed to exonerate any person who shall not have performed the duty, or who shall have violated any of the prohibitions, contained in the said acts, from suits or prosecutions; but as to all bonds, contracts, debts, demands, rights, penalties, punishments, which have been made, have arisen, or have incurred, or which shall be made, arise, or be incurred, previous to the first day of April next, the said acts shall have the same force and effect as though this act had not been passed: *Provided, likewise*, That the superintendent of Indian trade, the agents, assistant agents, and other persons employed under the aforesaid acts, shall continue to hold their several offices, appointments, and trusts, until otherwise removed, any thing herein contained, that might be construed to the contrary, notwithstanding; and also the bonds which they, or either of them, have given, or may give, for the faithful execution of their several duties and offices, shall continue to have the same force and effect, to all intents and purposes, as though this act had not been passed.

SECT. 16. *And be it further enacted*, That this act shall be in force from and after the first day of April next, for the term of three years, and from thence to the end of the session of congress next thereafter, and no longer. §

[ Approved, March 2, 1811.]

CHAP. 308. [XCVIII.] An act to establish the districts of Mumphreymagog, of Oswegatchie, and of the White Mountains.

The district of Mumphreymagog established.

Derby the sole port of entry; a collector, &c.

The district of Oswegatchie established.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, from and after the first day of April next, all that part of the state of Vermont, lying east of lake Mumphreymagog, and including also all such shores and waters of the said lake, as lie within the said state, shall constitute a district, to be called the district of Mumphreymagog; of which Derby shall be the sole port of entry; and a collector for the said district shall be appointed, to reside at the said port of entry.

SECT. 2. *And be it further enacted*, That, from and after the first day of April next, all the shores and waters of the river St. Lawrence, which lie in the state of New York, east of the western boundary of the county of St. Lawrence, and west of the western

boundary of the collection district of Champlain, shall constitute a district; <sup>1811.</sup> ~~to be called the district of Oswegatchie; of which Ogdenburgh shall be the sole port of entry; and a collector for the said district shall be appointed, to reside at Ogdenburgh. And the president of the United States is authorized to establish another place in the said district, to be a port of delivery only; and a surveyor shall be appointed to reside at such port of delivery.~~ <sup>Ogdenburgh the sole port of entry; a collector, &c.</sup>

SECT. 3. *And be it further enacted,* That all that part of the state of New Hampshire which lies adjacent to the northern boundary of the United States, and north of forty-four degrees thirty minutes north latitude, shall, from and after the first day of April next, constitute a district, to be called the district of "White Mountains;" the president of the United States is authorized to establish a place in the said district to be the port of entry; and a collector shall be appointed, to reside at the said place. <sup>The district of White Mountains established.</sup>

SECT. 4. *And be it further enacted,* That the president of the United States be, and he is hereby, authorized to alter the place which had heretofore been designated to be the port of entry for the district of Vermont, and to establish another place to be such port of entry. <sup>The president authorized to alter the port of entry for the district of Vermont, and to establish another place, &c.</sup>

SECT. 5. *And be it further enacted,* That, from and after the first day of April next, the collectors of the districts established by this act, and the collectors of the districts of Vermont, Champlain, and Sacket's Harbor, and Oswego, shall each receive, in addition to the fees and commissions allowed by law, an annual salary of five hundred dollars a year; and the annual salary heretofore allowed to the collectors of the three last mentioned districts, shall, from and after the said first day of April, be discontinued; and the surveyor to be appointed for the district of Oswegatchie shall receive, in addition to the fees allowed by law, a salary of one hundred and fifty dollars a year.\* <sup>After the 1st April, 1811, the collectors, &c. to receive each, an annual salary of 500 dolls. in addition, &c. The salary heretofore allowed to the collectors of Champlain, &c. to be discontinued. The surveyor for Oswegatchie to receive 150 dolls. a year, in addition, &c. [\*See act of 2d March, 1799; ch. 129, vol. 3.]</sup>

[Approved, March 2, 1811.]

CHAP. 309. [XCIX.] An act authorizing a loan of money, for a sum not exceeding five millions of dollars.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, empowered to borrow, on the credit of the United States, a sum not exceeding five millions of dollars, at a rate of interest, payable quarterly yearly, not exceeding six per centum per annum, and reimbursable at the pleasure of the United States, or at such periods as may be stipulated by contract, not exceeding six years from the first day of January next; to be applied, in addition to the moneys now in the treasury, or which may be received therein from other sources during the present year, to defray any of the public expenses which are or may be authorized by law. The stock thereby created shall be transferable in the same manner as is <sup>The president empowered to borrow not exceeding 5,000,000 dolls. &c. reimbursable at the pleasure of the United States, or, &c.</sup>

<sup>The money to be applied, &c. to defray any of the authorized public expenses; and the stock to be transferable, &c.</sup>

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[See ch. 61, vol. 2.]  
It is a good execution of the power to borrow for the secretary of the treasury, &c. to cause certificates to be constituted, &c. and to cause them to be sold at auction, &c.

Provido; the stock not to be sold under par.

So much of the annual appropriation of \$8,000,000 of dollars, for the payment of the principal and interest of the public debt, &c. pledged for the payment of interest and principal of the stock created by virtue of this act. The commissioners of the sinking fund to cause to be paid, out of the fund of \$8,000,000 of dollars, such sums as may be wanted to discharge the interest and reimburse the principal, &c.

The faith of the United States pledged to establish sufficient revenues for making up any deficiency in the funds hereby appropriated, &c.

provided by law for the transfer of the funded debt.\* *And it is further hereby declared,* That it shall be deemed a good execution of the said power to borrow, for the secretary of the treasury, with the approbation of the president of the United States, to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed, or for any part thereof, bearing an interest of six per cent. per annum, transferable and reimburseable as aforesaid; and to cause the said certificates of stock to be sold at auction, after having given thirty days public notice of the time and place of such sale: *Provided,* That no such stock be sold under par.

SECT. 2. *And be it further enacted,* That so much of the funds constituting the annual appropriation of eight millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal, of the stock, which may be created by virtue of this act. It shall, accordingly, be the duty of the commissioners of the sinking fund to cause to be applied and paid, out of the said fund, yearly and every year, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal, as the same shall become due, and may be discharged, in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sum or sums, out of the said fund, as they may think proper, towards redeeming, by purchase, and at a price not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them, in manner aforesaid. [*Approved, March 2, 1811.*]

CHAP. 310. [C.] An act to annex a part of the state of New Jersey to the collection district of New York; to remove the office of collector of Niagara to Lewistown; to make Cape St. Vincent, in the district of Sacket's Harbor, a port of delivery; and out of the districts of Miami and Mississippi to make two new districts, to be called the districts of Sandusky and Teche; and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That all that part of the state of New Jersey which lies north and east of Elizabethtown and Staten Island, be, and the same is hereby, annexed to the district of New York;† that an assistant collector, to be appointed and commissioned by the president of the United States, shall reside at the town of Jersey, who shall have power to enter and clear vessels in like manner as the collector of New York is authorized by law to do; but such assistant collector shall, nevertheless, act in conformity to such instructions and regulations as he shall, from time to time, receive from the col-

That part of New Jersey lying north and east of Elizabethtown, &c. annexed to the district of New York.  
[See sec. 5, ch. 1-8, vol. 3.]  
An assistant collector, &c. to reside at the town of Jersey, &c.  
The assistant collector to act

lector of New York; and that the said assistant collector shall receive, for his annual salary, one thousand dollars, in full for all services to be by him performed, and in lieu of commissions and fees. 1811.

SECT. 2. *And be it further enacted*, That all that part of the Miami district,\* lying east of the western cape of Sandusky bay, shall be a district, to be called the district of Sandusky; and the president is hereby authorized to designate such place in the district of Sandusky, as he shall judge expedient, to be the port of entry of the said district; and a collector for the said district shall be appointed, to reside at the port of entry.

SECT. 3. *And be it further enacted*, That Cape Vincent, in the district of Sacket's Harbor, shall, from and after the thirty-first day of May next, be a port of delivery only; and a surveyor shall be appointed, to reside at the said port.

SECT. 4. *And be it further enacted*, That the collector's office shall, after the thirty-first day of May next, be removed from Fort Niagara† to Lewistown, which last mentioned place shall, in future, be the residence of the collector; and also, that the office of the collector of the customs, for the district of Buffalo creek, shall be kept at such place or places, in the town of Buffalo, as the president of the United States shall designate.

SECT. 5. *And be it further enacted*, That ships or vessels, arriving, from and after the first day of May next, from the Cape of Good Hope, or from any place beyond the same, shall be admitted to make entry at Plymouth and Nantucket, ports of entry in the state of Massachusetts.‡

SECT. 6. *And be it further enacted*, That, from and after the first day of May next, Bangor, in the district of Penobscot,§ in the state of Massachusetts, be, and the same is hereby made, a port of delivery, to be annexed to the district of Penobscot; and that a surveyor be appointed, to reside at the said port of delivery.

SECT. 7. *And be it further enacted*, That all that part of the collection district of Mississippi, which includes the waters of the river Teche, and all the shores, bays, and rivers, west of the Atchafalaya, be, and the same is hereby, established as a new district, to be called the district of Teche; that Nova Iberia be the port of entry for the same; and that a collector be appointed, to reside at the port of entry.

SECT. 8. *And be it further enacted*, That a surveyor be appointed to reside at or near the mouth of the Rappahannock river, at such place as the president of the United States shall designate.

SECT. 9. *And be it further enacted*, That the several collectors and surveyors, who may be appointed by virtue of this act, and whose salaries are not fixed by a preceding section, shall, in addition to the fees and commissions authorized by law, receive, respectively, the same annual salary which, by law, is allowed to the collectors and surveyors of the districts bordering on lake Erie.¶ [Approved, March 2, 1811.]

in conformity to instructions, &c. from the collector of New York; and to receive 1,000 dollars. &c. The district of Sandusky formed out of the Miami district. [\* See sec. 3, chap. 448, vol. 3.] The president to designate the port of entry in the district of Sandusky; a collector, &c.

Cape Vincent, &c. after the 31st May, 1811, to be a port of delivery only; a surveyor, &c.

After the 31st May, 1811, the collector's office to be removed from Fort Niagara to Lewistown, &c.

[\* See sec. 3, ch. 129, vol. 3.] The office of the collector for Buffalo to be kept at such place in the town of Buffalo as the president designates.

Vessels arriving after the 1st May, 1811, from the Cape of Good Hope, &c. to be admitted, &c. at Plymouth, &c.

[† See sec. 18, ch. 129, vol. 3.] After the 1st May, 1811, Bangor, &c. to be a port of delivery, &c.

[§ See sec. 2, ch. 129, vol. 3.] The district of Teche formed out of the district of Mississippi, &c.

Nova Iberia to be the port of entry for Teche; a collector, &c.

A surveyor to be appointed to reside at or near the mouth of the Rappahannock river, &c.

The collectors and surveyors appointed by virtue of this act, &c. to receive the same annual salary as is allowed to the collectors, &c. of the districts bordering on lake Erie.

[¶ See act of 2d March, 1799; ch. 129, vol. 3.]

1811. CHAP. 311. [CI.] An act to extend the time for completing the third census, or enumeration of the inhabitants of the United States.\*

[\*Obsolete. See act of 12th April, 1810; ante, chap. 348.] The assistants in the several states, &c. for which returns of the third census have not been completed, allowed until the first Monday of June, 1811, to make their returns, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the assistants in the several states and territories, for which returns have not been completed, have until the first Monday of June next, to make their returns to the marshals and secretaries; and that the marshals and secretaries have until the first Monday of July next, to make and file their returns in the office of the secretary of state, any law to the contrary notwithstanding.

[Approved, March 2, 1811.]

[† Private and obsolete.]

CHAP. 312. [CII.] An act for the relief of John Macnamara.†

The schooner Sally, owned by John Macnamara, which took on board, at Nassau, some French emigrants from Cuba, with their domestic slaves, and landed them at Charleston, &c. released, &c.

[Ante, ch. 77.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the schooner Sally, owned by John Macnamara, which vessel, at Nassau, New Providence, took on board some French emigrants from the Island of Cuba, with their domestic slaves, and landed them at Charleston, which said vessel was seized, together with her cargo, and libelled for a violation of an act, entitled "An act to prohibit the importation of slaves into any port or place of the United States, from and after the first day of January, in the year one thousand eight hundred and eight,"† be, and the same is hereby, released, together with her cargo, from the seizure aforesaid.

Penalties, &c. incurred by the captain or owner of the vessel, in consequence of any provisions of the act referred to, &c. inuring to the United States, remitted. [§ See ante, chap. 77.] Provided, the vessel, &c. not to be released, nor the penalties, &c. remitted, but on condition, &c.

SECT. 2. *And be it further enacted,* That all penalties or forfeitures, which may have been incurred by the captain or owner of said vessel, in consequence of any provisions of the act referred to, § in the first section, which have inured, or might otherwise inure, to the United States, be, and the same are hereby, remitted: *Provided,* That the said vessel and shall not be released, or the said penalties and forfeitures remitted, but on condition that the said slaves be previously, actually, and bona fide, removed, (if not already removed) from and without the limits of the United States and territories thereof.

[Approved, March 2, 1811.]

[‡ Expired. See the const. art. 1, sec. 10, cl. 2, page 65, vol. 1.]

CHAP. 313. [CIII.] An act declaring the consent of congress to an act of the state of Georgia, passed the twelfth of December, one thousand eight hundred and four, "establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's."||

The consent of congress declared to the operation of an act of the legislature of Georgia, &c. establishing the fees of the harbor master, &c. of the ports of Savannah and St. Mary's.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the consent of congress be, and hereby is, granted and declared to the operation of an act of the legislature of Georgia, passed the twelfth of December, one thousand eight hundred and four, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's.

**SECT. 2.** *And be it further enacted, That this act shall be in force for one year, and no longer.\** [Approved, March 2, 1811.] 1811.

This act to be in force until the 3d March, 1812, [\* Revised, and continued to the 3d March, 1815, by act of 3d March, 1813; chap. §18, post.]

**CHAP. 314. [CIV.]** An act to erect a lighthouse on Boon island, in the state of Massachusetts, to place buoys off Cape Fear river, and to erect a beacon at New Inlet, in the state of North Carolina, and to place buoys at the entrance of the harbor of Edgartown, and to erect a column of stone on Cape Elizabeth, and to complete the beacons and buoys at the entrance of Beverly harbor, in the state of Massachusetts.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the secretary of the treasury be, and he is hereby, authorized, on being satisfied that Boon Island, in the district of Maine, in the state of Massachusetts, is a fit and eligible site for a lighthouse, and that one ought to be erected thereon, to cause a lighthouse to be built on the said island: Provided, That the legislature of Massachusetts shall vest the property of the said island in the United States, and cede the jurisdiction of the same.†*

The secretary of the treasury, &c. to cause a lighthouse to be built on Boon Island, &c. *Provido; if the legislature of Massachusetts vests the property of the island, &c.* [† See page 667, vol. 1.]

**SECT. 2.** *And be it further enacted, That the secretary of the treasury be, and he is hereby, directed to cause buoys to be placed at or near the Main Bar, and New Inlet Bar, off Cape Fear; and also, to cause to be erected a beacon on a point of land near New Inlet, in the state of North Carolina.*

The secretary of the treasury directed to cause buoys to be placed at or near the Main Bar, &c.

**SECT. 3.** *And be it further enacted, That the secretary of the treasury be, and he is hereby, directed to cause such buoys as he shall deem necessary, to be placed at the entrance of the harbor of Edgartown, in the state of Massachusetts.*

The secretary of the treasury directed to cause buoys to be placed at the entrance of the harbor of Edgartown, &c.

**SECT. 4.** *And be it further enacted, That it shall be the duty of the secretary of the treasury to cause to be erected a column of stone, as a beacon, on Cape Elizabeth, in the state of Massachusetts, of such form and dimensions as he shall deem necessary.*

The secretary of the treasury to cause to be erected a column of stone, as a beacon, on Cape Elizabeth, &c. Sums of money appropriated for the purposes of this act, &c.

**SECT. 5.** *And be it further enacted, That the following sums of money be, and the same are hereby, appropriated for the purposes herein mentioned; to wit: For the erection of a lighthouse on Boon Island, three thousand dollars; for placing buoys on the places mentioned off Cape Fear river, two thousand dollars; for placing buoys at the entrance of the harbor of Edgartown, two thousand dollars; for erecting a beacon, one thousand eight hundred dollars; and for erecting a column on Cape Elizabeth, one thousand eight hundred dollars; and for completing the beacons and buoys ordered to be placed near the entrance of Beverly harbor, in the state of Massachusetts, the further sum of three hundred and fifty dollars.* [Approved, March 2, 1811.]

A further sum of 350 dolls. for completing the beacons and buoys near the entrance of Beverly harbor, &c.

**CHAP. 315. [CV.]** An act to extend the right of suffrage in the Indiana territory, and for other purposes.‡

[§ See act of 4th March, 1814; chap. 607, post.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That each and every free white male person, who shall have attained*

Every free white male of 21 years,



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who has paid a county or territorial tax, resided one year in the territory, &c. and at the time of election a resident, entitled to vote for members of the legislative council, &c.

The citizens of Indiana entitled to vote for representatives to the general assembly, &c. permitted to elect one delegate to congress, &c.

the age of twenty-one years, and who shall have paid a county or territorial tax, and who shall have resided one year in said territory, previous to any general election, and be, at the time of any such election, a resident of said territory, shall be entitled to vote for members of the legislative council and house of representatives of the territorial legislature, and for a delegate to the congress of the United States for said territory.

SECT. 2. *And be it further enacted*, That the citizens of the Indiana territory, entitled to vote for representatives to the general assembly thereof, may, on the third Monday of April next, and on the third Monday of April biennially thereafter, (unless the general assembly of said territory shall appoint a different day) elect one delegate for said territory to the congress of the United States, who shall possess the same powers heretofore granted by law to the same.

Every sheriff of the territory, who neglects or refuses to perform the duties required by the act mentioned, liable to a penalty of 1,000 dollars, recoverable by action of debt, &c.

[\* Ante, ch. 190.]

SECT. 3. *And be it further enacted*, That each and every sheriff, that now is, or hereafter may be, appointed in said territory, who shall either neglect or refuse to perform the duties required by an act, entitled "An act extending the right of suffrage in the Indiana territory, and for other purposes,"\* passed in February, one thousand eight hundred and nine, shall be liable to a penalty of one thousand dollars, recoverable by action of debt, in any court of record within the said territory, one-half for the use of the informer, and the other for the use of the territory.

Persons holding offices of profit from the governor of Indiana, justices, &c. excepted, disqualified to act as members of the legislative council, &c.

SECT. 4. *And be it further enacted*, That any person holding, or who may hereafter hold, any office of profit from the governor of the Indiana territory (justices of the peace and militia officers excepted) shall be ineligible to, and disqualified to act as a member of, the legislative council or house of representatives for said territory.

Every sheriff, in each county of the territory, to cause the election prescribed by this act to be held, according to the time and manner prescribed, &c. under the penalty of 1,000 dollars, &c.

SECT. 5. *And be it further enacted*, That each and every sheriff, in each and every county, that now is, or hereafter may be, established in said territory, shall cause to be held the election prescribed by this act, according to the time and manner prescribed by the laws of said territory and this act, under the penalty of one thousand dollars, to be recovered in the manner, and for the use, pointed out by the third section of this act.

[Approved, March 3, 1811.]

CHAP. 316. [CVI.] An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson, of the Mississippi territory.†

[† Private.]

Upon Richard Tervin's producing to the register of the land office, &c. east of Pearl river, evidence of his having inhabited and cultivated a tract of land, &c. prior to the 30th March, 1799, a location certificate for not exceeding 640 acres is to be granted to him.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That Richard Tervin be, and he is hereby, authorized to produce to the register of the land office, and the receiver of public moneys, for the district east of Pearl river, in the Mississippi territory, evidence of his having inhabited and cultivated a tract of land in said territory, prior to the thirtieth day of March, one thousand seven hundred and ninety-eight; and in case such evidence shall be produced, the said register and receiver are required to

grant to the said Richard Tervin a donation certificate for such tract of land, not exceeding six hundred and forty acres. 1811.

SECT. 2. *And be it further enacted*, That William Coleman be, and he is hereby, authorized to produce to the said register and receiver evidence of his right to a donation of a tract of land, on the Tombigbee river, in said territory; and in case he shall produce satisfactory evidence to the said register and receiver, that he was entitled to a donation of such tract, according to the provisions of the second section of the act, entitled "An act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the state of Tennessee,"\* and the acts supplementary thereto, it shall then be lawful for the said William Coleman to locate a quantity of land equal to that to which he was entitled under the abovementioned provisions, on any lands of the United States, which shall have been offered at public sale, in the said district, and that shall then remain unsold; and it shall be the duty of the said register and receiver to issue a donation certificate to the said William Coleman, for the land so located by him.

Upon William Coleman's producing to the register of the land office, &c., east of Pearl river, evidence of his right to a donation of a tract of land on the Tombigbee, &c., according to the provisions of the 2d sec. of the act mentioned, &c., he is to be allowed to locate a quantity of land equal, &c., on any lands offered at public sale, and remaining unsold, [Ch. 340, vol. 3.] The register, &c., to issue a donation certificate to William Coleman, &c.

SECT. 3. *And be it further enacted*, That Edwin Lewis be entitled to the right of pre-emption in five acres of land, situate within the boundaries of a tract of land whereon he resides, which five acres were heretofore used for an encampment for the troops of the United States, so soon as the same shall cease to be used for that purpose; the said five acres to be paid for at the same price, on the same terms and conditions, as are provided for lands granted by right of pre-emption in the Mississippi territory.

Edwin Lewis entitled to the right of pre-emption in five acres of land, within the boundaries of a tract whereon he resides, heretofore used for an encampment, as soon as it shall cease to be used for that purpose, &c.

SECT. 4. *And be it further enacted*, That Samuel Mims be, and he is hereby, confirmed in his title to a tract of land, containing five hundred and eighty-four acres, granted by the British government of West Florida to William Clark, so as not to deprive the heirs of said Clark, or any other person or persons, of their legal remedy, if any they have, for the recovery of said land and from said Mims, his heirs or assigns.

Samuel Mims confirmed in his title to a tract of land, containing 584 acres, granted by the British government of West Florida, &c., so as not to deprive the heirs of William Clark, &c., of their legal remedy, &c. Joseph Wilson authorized to enter, with the register of the land office, his certificate of pre-emption right, &c., for 480 acres, lying on the Tombigbee river, &c.

SECT. 5. *And be it further enacted*, That Joseph Wilson be, and he is hereby, authorized to enter, with the register of the land office, his certificate of pre-emption right, &c., for 480 acres, lying on the Tombigbee river, in said territory; and that payment be made therefor, at the same price, and on the same terms and conditions, as are provided by law for other lands granted in right of pre-emption in said territory.†

[† See chap. 340, vol. 3, passim.]

[Approved, March 3, 1811.]

CHAP. 317. [CVII.] An act to increase the salaries of the judges of the circuit court for the district of Columbia.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, 300 dolls. per ann. additional

1811. in addition to the compensation heretofore allowed by law to the judges of the circuit court for the district of Columbia, the sum of two hundred dollars per annum be paid to the chief justice of the said court, and the sum of four hundred dollars per annum be paid to each of the assistant judges, payable quarter yearly; the first quarterly payment to be made on the first day of April next. [*Approved, March 3, 1811.*]

to the chief justice, and 400 dollars per ann. to each of the assistant judges, of the circuit court for the district of Columbia; the first payment to be made on the 1st April, 1811.

CHAP. 318. [CVIII.] An act making appropriations for carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded at fort Clarke, on the tenth day of November, one thousand eight hundred and eight, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for the purpose of carrying into effect a treaty between the United States and the Great and Little Osage nations of Indians, concluded and signed at fort Clarke, on the Missouri, on the tenth day of November, one thousand eight hundred and eight,\* the sum of five thousand dollars be, and the same is hereby, appropriated; and the further annual sum of one thousand dollars to the Great Osage nation, and of five hundred dollars to the Little Osage nation, to be paid annually to the said nations; which annuities shall be permanent.

Appropriation of 5,000 dollars, and a permanent annuity of 1,000 dollars, to the Great Osage, and of 500 dollars, to the Little Osage, nation of Indians, conformably to the treaty of fort Clarke, &c. [\* See the treaty, page 439, vol. 1.]

690 dolls. appropriated for paying John Eugene Leitensdorfer the sum allowed him by the act mentioned. [† See ante, ch. 329.] The sums appropriated to be paid out of unappropriated money in the treasury.

SECT. 2. *And be it further enacted,* That the sum of six hundred and eighty dollars be, and the same is hereby, appropriated, for paying John Eugene Leitensdorfer the sum allowed him by the act passed on the thirteenth day of February, one thousand eight hundred and eleven.†

SECT. 3. *And be it further enacted,* That the several sums appropriated by this act, shall be paid out of any money in the treasury, not otherwise appropriated. [*Approved, March 3, 1811.*]

CHAP. 319. [CIX.] An act concerning invalid pensioners.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of war be, and he is hereby, directed to place the following named persons, whose names have been transmitted to congress, pursuant to the act of the tenth of April, eighteen hundred and six,‡ on the pension list of invalid pensioners of the United States, according to the rates, and to commence at the times, hereinafter mentioned; that is to say:

James Trowbridge, at the rate of three dollars and thirty-three cents per month, to commence on the fifth day of February, one thousand eight hundred and ten.

Samuel Mears, junr. at the rate of two dollars and fifty cents per month, to commence on the tenth day of December, one thousand eight hundred and ten.

Ebenezer Brown, at the rate of five dollars per month, to commence on the third day of January, one thousand eight hundred and eleven.

The secretary of war directed to place the persons named on the list of invalid pensioners, &c. [† See ante, chap. 325.]

Names of persons, &c. who are to be placed on the pension list, &c.

**Elisha Capron**, at the rate of two dollars and fifty cents per month, to commence on the first day of January, one thousand eight hundred and ten. 1811.

Names of persons, first, who are to be placed on the pension list, &c.

**William Woodruff**, at the rate of five dollars per month, to commence on the twenty-fourth day of October, one thousand eight hundred and ten.

**Levi Tuttle**, at the rate of one dollar and twenty-five cents per month, to commence on the seventh day of January, one thousand eight hundred and eleven.

**Nathaniel Austin**, at the rate of three dollars and seventy-five cents per month, to commence on the tenth day of April, one thousand eight hundred and ten.

**Isaac Vincent**, at the rate of five dollars per month, to commence on the twenty-second day of March, one thousand eight hundred and ten.

**John Griggs**, at the rate of two dollars and fifty cents per month, to commence on the seventh day of April, one thousand eight hundred and ten.

**Patrick Hart**, at the rate of three dollars per month, to commence on the thirtieth day of August, one thousand eight hundred and ten.

**William Burke**, at the rate of two dollars and fifty cents per month, to commence on the tenth day of October, one thousand eight hundred and eight.

**John Long**, at the rate of two dollars and fifty cents per month, to commence on the seventeenth day of April, one thousand eight hundred and ten.

**Vincent Tapp**, at the rate of two dollars and fifty cents per month, to commence on the sixth day of December, one thousand eight hundred and ten.

**James Batson**, at the rate of three dollars per month, to commence on the thirteenth day of February, one thousand eight hundred and eleven.

**John Brown**, at the rate of two dollars and fifty cents per month, to commence on the first day of December, one thousand eight hundred and ten.

**James Campin**, at the rate of thirteen dollars thirty-three and one-third cents per month, to commence on the twenty-fifth day of March, one thousand eight hundred and nine.

**Samuel Wells**, at the rate of three dollars and seventy-five cents per month, to commence on the twenty-second day of July, one thousand eight hundred and seven.

**Daniel McElduff**, at the rate of thirteen dollars and thirty-three cents per month, to commence on the twenty-first day of July, one thousand eight hundred and eleven.

**Edward Miller**, at the rate of five dollars per month, to commence on the third day of May, one thousand eight hundred and nine.

**Daniel Fielding**, at the rate of three dollars and thirty-three cents per month, to commence on the nineteenth of September, one thousand eight hundred and nine.

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The pensions of  
the persons  
named, already  
on this list, to be  
increased, as  
specified.  
[Ante, ch. 25.]

**SECT. 2.** *And be it further enacted,* That the pensions of the following persons, already placed on the pension list of the United States, whose claims for an increase of pension have been transmitted to congress, pursuant to the act aforesaid, be increased to the sums herein respectively annexed to their names, the said increase to commence at the times hereinafter mentioned, that is to say:

John Lincoln, three dollars per month, to commence on the fifteenth day of June, one thousand eight hundred and ten.

Dan Culver, five dollars per month, to commence on the tenth day of June, one thousand eight hundred and ten.

Joseph Whittemore, ten dollars per month, to commence on the twelfth day of May, one thousand eight hundred and ten.

Peter Hemmenway, five dollars per month, to commence on the eighth day of March, one thousand eight hundred and ten.

Benjamin Mastic, five dollars per month, to commence on the eleventh day of May, one thousand eight hundred and nine.

Elisha Rice, five dollars per month, to commence on the thirty-first day of March, one thousand eight hundred and ten.

William Bailey, two dollars and fifty cents per month, to commence on the third day of July, one thousand eight hundred and ten.

Jared Knapp, five dollars per month, to commence on the nineteenth day of November, one thousand eight hundred and ten.

Solomon Reynolds, five dollars per month, to commence on the sixteenth day of January, one thousand eight hundred and eleven.

Samuel Loomis, three dollars and seventy-five cents per month, to commence on the seventh day of February, one thousand eight hundred and eleven.

Eleazer Hudson, three dollars and seventy-five cents per month, to commence on the fifteenth day of February, one thousand eight hundred and eleven.

Job Bartram, fifteen dollars per month, to commence on the twenty-fifth day of October, one thousand eight hundred and nine.

George Shell, five dollars per month, to commence on the nineteenth day of December, one thousand eight hundred and ten.

Isaac Richards, two dollars and fifty cents per month, to commence on the fourteenth day of March, one thousand eight hundred and ten.

James Patton, thirteen dollars and thirty-three cents per month, to commence on the sixth day of March, one thousand eight hundred and ten.

Robert Coddington, five dollars per month, to commence on the sixth day of March, one thousand eight hundred and ten.

Isaac Cotheall, five dollars per month, to commence on the sixth day of March, one thousand eight hundred and ten.

Seybert Odam, five dollars per month, to commence on the twenty-seventh day of October, one thousand eight hundred and ten.

**SECT. 3.** *And be it further enacted,* That John Calhoun be placed on the said pension list, at the rate of fifteen dollars per month, to commence on the sixth day of February, one thousand eight hundred and ten; and that Benjamin Blackburn be placed on the pension list, at the rate of five dollars per month, from the first day of April, one thousand eight hundred and ten.

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John Calhoun and Benjamin Blackburn to be placed on the pension list, at the rates, &c. mentioned.

**SECT. 4.** *And be it further enacted,* That there be paid, out of any moneys in the treasury not otherwise appropriated, to Abram Gamble, of the state of Maryland, who was placed on the pension list from the eighteenth day of January, one thousand eight hundred and nine, the sum of fifty-three dollars and seventy-five cents, for arrears of pension from the twenty-fifth day of January, one thousand eight hundred and eight, when he first completed his testimony under an irregular commission, to the said eighteenth day of February, one thousand eight hundred and nine, being ten months and twenty-three days.

53 dolls. and 75 cents, arrears of pension, &c. to be paid to Abram Gamble, &c.

[Approved, March 3, 1811.]

**CHAP. 320. [CX.]** An act making further appropriations to complete the fortifications commenced for the security of the ports and harbors of the United States.\*

[\* Obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for the purpose of completing the fortifications commenced for the security of the ports, towns, and harbors, of the United States, and the territories thereof, there be, and hereby is, appropriated the sum of one hundred and thirty-one thousand and forty-six dollars and thirty cents, to be paid out of any moneys in the treasury, not otherwise appropriated. [Approved, March 3, 1811.]

131,046 dolls. 30 cents appropriated for completing the fortifications commenced for the security of the ports, &c. of the United States, &c.

**CHAP. 321. [CXI.]** An act for allowing a reasonable compensation to the persons who have taken an account of the several manufacturing establishments and manufactures within the United States.†

[† Obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he hereby is, authorized to allow such reasonable compensation as he shall deem adequate, for the services of each of those persons who took, under his direction, in pursuance of an act, entitled "An act further to alter and amend 'An act providing for the third census or enumeration of the inhabitants of the United States,'"† an account of the several manufacturing establishments and manufactures within their several districts: *Provided, however,* That nothing herein contained shall authorize the secretary of the treasury to expend, out of the fund already appropriated for taking the enumeration of the inhabitants of the United States, a sum exceeding thirty thousand dollars. [Approved, March 3, 1811.]

The secretary of the treasury authorized to allow a reasonable compensation for the services of the persons who took an account of the manufacturing establishments, &c.

[† Ante, ch. 263.] *Provided,* nothing herein to authorize the secretary of the treasury to expend, out of the fund appropriated for taking the enumeration of inhabitants, a sum exceeding 30,000 dolls.

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[\* See orig. act, of 29th March, 1806; ante, ch. 19. &c., also, ch. 725, post.]

50,000 dolls. additional appropriated for making the road from Cumberland to Ohio between Cumberland and Brownsville, &c.

The 50,000 dolls. to be replaced out of the fund reserved for laying out and making roads to the state of Ohio, &c.

[† Ch. 300, vol. 5.]

The president authorized to permit deviations, &c. from the act laying out, &c. a road from Cumberland to Ohio, &c. [† Ante, ch. 19.]

Provido; no deviation from the principal points between Cumberland and Brownsville.

[§ See act of 25th April, 1812; chap. 300, post.]

Allowances and compensations to the several officers appointed for ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana, as specified; to be in full, &c.

CHAP. 322. [CXII.] An act in addition to the "Act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio."<sup>1</sup>

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* in addition to the unexpended balance of the sum heretofore appropriated for laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio, the sum of fifty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated, and to be expended under the direction of the president of the United States, in making said road between Cumberland, in the state of Maryland, and Brownsville, in the state of Pennsylvania, commencing at Cumberland; which sum of fifty thousand dollars shall be replaced out of the fund reserved for laying out and making roads to the state of Ohio, by virtue of the seventh section of an act, passed on the thirtieth day of April, one thousand eight hundred and two, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the union, on an equal footing with the original states, and for other purposes."<sup>2</sup>

SECT. 2. *And be it further enacted, That* the president of the United States be, and he is hereby, authorized and empowered to permit such deviations from the courses run and established by the commissioners, under the authority of "An act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio,"<sup>3</sup> as, in his opinion, shall be deemed expedient: *Provided,* That no deviations shall be made from the principal points established on said road between Cumberland and Brownsville. [Approved, March 3, 1811.]

CHAP. 323. [CXIII.] An act providing for the final adjustment of claims to lands, and for the sale of the public lands, in the territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, one thousand eight hundred and eleven.<sup>4</sup>

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the following allowances and compensations shall be made to the several officers appointed for the purpose of ascertaining the rights of persons claiming lands in the territories of Orleans and Louisiana; which allowances and compensations shall be in full for all their services, including those rendered since their salaries, respectively, ceased; that is to say: To each of the commissioners, and to each of the clerks of the boards, fifty cents for each claim, duly filed according to law, which remained undecided on the first day of July, one thousand eight hundred and nine, and on which a decision has been made subsequent to that day, or shall hereafter be made, whether such decision be in favor of, or against, the claim: which allowance of fifty cents shall

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be paid at the treasury of the United States, from time to time, and on receipt of the transcripts of the decisions and of the reports of claims not finally confirmed, as the same may be transmitted by the boards, respectively, to the secretary of the treasury, according to law. To each of the said commissioners and clerks, a further allowance of five hundred dollars, to be paid after the completion of the business of each of the boards, respectively, to the officers then in office. And to each of the translators, at the rate of six hundred dollars a year, and not to exceed, in the whole, for each, the term of eighteen months: *Provided always*, That the abovementioned allowance of fifty cents for each claim decided upon, shall not be made to any of the commissioners who may be absent at the time of such decision; the attendance of each to be certified by the clerk, or by a majority of the board: *And provided also*, That no allowance shall be made to any agent heretofore employed by the secretary of the treasury, for any period of time subsequent to the time when such agent ceased to act, or when the board ceased to receive evidence.

To each commissioner and clerk, a further allowance of 500 dolls. &c.

At the rate of 600 dolls. a year to each of the translators, &c.

Provido; the allowance of 50 cents, &c. not to be made to any of the commissioners who may be absent, &c.

Provido; no allowance to any agent employed by the secretary of the treasury for time subsequent, &c.

SECT. 2. *And be it further enacted*, That the two principal deputy surveyors of the territory of Orleans shall, and they are hereby authorized, in surveying and dividing such of the public lands in the said territory, which are or may be authorized to be surveyed and divided, as are adjacent to any river, lake, creek, bayou, or water course, to vary the mode heretofore prescribed by law, so far as relates to the contents of the tracts, and to the angles and boundary lines, and to lay out the same into tracts, as far as practicable, of fifty-eight poles in front, and four hundred and sixty-five poles in depth, of such shape, and bounded by such lines, as the nature of the country will render practicable, and most convenient: *Provided, however*, That such deviations from the ordinary mode of surveying shall be made with the approbation of, and in conformity with, the general instructions which may be given, to that effect, by the surveyor of the public lands south of the state of Tennessee.

The two principal deputy surveyors of the territory of Orleans authorised, in surveying, &c. the public lands, &c. adjacent to any river, &c. to vary the mode heretofore prescribed, so far as relates to the contents of the tracts, and to the angles and boundary lines, &c.

Provido; the deviations, &c. to be made in conformity with the general instructions given by the surveyor of the public lands south of Tennessee.

Land offices to be established:

SECT. 3. *And be it further enacted*, That, for the disposal of the lands of the United States lying in the eastern land district of the territory of Orleans, a land office shall be established at New Orleans; and that, for the disposal of the lands of the United States, lying south of Red river, in the western land district of the territory of Orleans, a land office shall be established at Opelousas; and that, for the disposal of the lands of the United States lying north of Red river, in the western land district of the territory of Orleans, a land office shall be established, which shall be kept at such place as the president of the United States may direct. The register of the western land district of the territory of Orleans shall act as register of the land office of Opelousas, and as one of the commissioners for ascertaining the rights of persons claiming lands in any part of the said western land district. And, for the land office north of the Red river, a register, and, for each of the said three offices, a receiver of public moneys, shall be appointed, who shall give security in the

At New Orleans.

At Opelousas. And, for the disposal of lands lying north of Red river, a land office, &c.

The register of the western land district of the territory of Orleans, to act as register of the land office of Opelousas, &c. A register to be appointed for the land office north of Red river,



1811. same manner, in the same suits, and whose commissions, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their offices, as are or may be provided by law, in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States in the territory of Mississippi.\*

[\* See chap. 360, vol. 3.]  
The powers vested in the president, &c. in relation to lands lying in the western district of the territory of Orleans, &c. extended to the public lands lying in the eastern district, &c. [Ante, ch. 39.]

SECT. 4. *And be it further enacted*, That the powers vested in the president of the United States, by the eleventh section of the act, entitled "An act supplementary to an act, entitled 'An act for ascertaining and adjusting the titles and claims to land within the territory of Orleans, and the district of Louisiana,'"† passed on the twenty-first day of April, one thousand eight hundred and six, in relation to the public lands lying in the western district of the territory of Orleans, and all the other provisions made by the same section, for the sale of said lands, and for obtaining patents for the same, shall be, and the same are hereby, in every respect, extended to the public lands lying in the eastern district of the territory of Orleans.

SECT. 5. *And be it further enacted*, That every person who, either by virtue of a French or Spanish grant, recognized by the laws of the United States, or under a claim confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans, owns a tract of land bordering on any river, creek, bayou, or water course, in the said territory, and not exceeding in depth forty arpens, French measure, shall be entitled to a preference in becoming the purchaser of any vacant tract of land adjacent to, and back of, his own tract, not exceeding forty arpens, French measure, in depth, nor in quantity of land that which is contained in his own tract, at the same price, and on the same terms and conditions, as are or may be provided by law for the other public lands in the said territory. And the principal deputy surveyor of each district, respectively, shall be, and he is hereby, authorized, under the superintendence of the surveyor of the public lands south of the state of Tennessee, to cause to be surveyed the tracts claimed by virtue of this section; and in all cases where, by reason of bends in the river, lake, creek, bayou, or water course, bordering on the tract, and of adjacent claims of a similar nature, each claimant cannot obtain a tract equal in quantity to the adjacent tract already owned by him, to divide the vacant land applicable to that object between the several claimants, in such manner as to him may appear most equitable.

Every person who, by virtue of a French or Spanish grant, recognized, &c. or under a claim confirmed by the commissioners, &c. owns a tract of land bordering on any river, &c. and not exceeding 40 arpens in depth, to be entitled to a preference in becoming the purchaser of any vacant tract adjacent, &c. to his own, not exceeding 40 arpens, &c.

The principal deputy surveyor of each district, &c. to cause the tract claimed by virtue of this section to be surveyed; and where, by reason of bends in the river, &c. each claimant cannot obtain a tract equal in quantity, &c. to divide the vacant land, &c. between the claimants, &c.

Provido; the right of pre-emption, &c. not to include lands fit for cultivation bordering on another river, &c. Persons entitled to the benefit of this section to deliver, &c. to the register of the proper land office, a notice in writing, stating the situation and extent of the tract of land he wishes to purchase, and shall also make the payment and payments for the same, at the time and times which are, or may be, prescribed by

law for the disposal of the other public lands in the said territory; the time of his delivering the notice aforesaid being considered as the date of the purchase. And if any such person shall fail to deliver such notice within the said period of three years, or so make such payment or payments at the time abovementioned, his right of pre-emption shall cease and become void; and the land may thereafter be purchased by any other person in the same manner, and on the same terms, as are or may be provided by law for the sale of other public lands in the said territory.

SECT. 6. *And be it further enacted*, That the land offices established by virtue of the third section of this act, shall be opened on the first day of January, one thousand eight hundred and twelve, for the sale of all the public lands, with the exception of section No. sixteen, of the salt springs, and land contiguous thereto, and of the tracts reserved for the support of seminaries of learning, as hereinafter provided, which shall have been previously surveyed, and the surveys thereof returned, according to law, to the registers of the land offices, respectively; and on the first day of February, one thousand eight hundred and twelve, for the sale of such of the public lands which, from the nature of the country, cannot be surveyed in the ordinary way, and are embraced by the provisions of the second section of this act, as shall have, at least six weeks previous to the said first day of February, one thousand eight hundred and twelve, been advertised for sale by the surveyor of the public lands south of the state of Tennessee, with the approbation of the president of the United States.\* The public sales for the land, subdivided into quarter sections in the ordinary way, shall be held for one calendar month, under the superintendence of the register and receiver of each land office, respectively, and of either the surveyor of public lands south of Tennessee, or of his principal deputy surveyor in the district, who shall, each, receive six dollars for each day's attendance on the same; and no tract of land shall be sold at said public sales for a less price than that which is, or may be, prescribed by law for the sale of public lands in the Mississippi territory. And, from and after the first day of February, one thousand eight hundred and twelve, any tract which has been thus offered for sale at public sale, and remains unsold, as well as any tract of land embraced by the provisions of the second section of this act, the sale of which is authorized by this section, may be disposed of at private sale, by the register of the land office, for the same price which is, or may be, prescribed by law for the sale of public lands in the Mississippi territory. All the lands sold by virtue of this section, shall, in every other respect, be sold on the same terms of payment, and conditions, in the same manner, and under the same regulations, as are, or may be, prescribed by law for the sale of public lands in the Mississippi territory:† *Provided, however*, That in case of an application being made, at the same time, for the purchase, at private sale, of the same tract of land, by two or more persons, one of whom did actually inhabit and cultivate such tract of land at the time of passing this act, and still continues to inhabit and cultivate

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and cannot cultivate tracts, and also make the payments, &c. If any person fails to deliver notice within the period, &c. his right of pre-emption becomes void, and the land may be purchased by any other person, &c.

The land offices established by the 3d sec. of this act, to be opened on the 1st Jan. 1812, for the sale of all the public lands, except No. 16, salt springs, &c. and tracts reserved for the support of seminaries of learning, &c. which have been previously surveyed, &c.

The land offices, &c. on the 1st Feb. 1812, for the sale of such lands as cannot be surveyed in the ordinary way, embraced by the provisions of the 2d sec. of this act, and as have been advertised, &c.

[\* See chap. 387, post.]

The public sales, &c. to be held for one calendar month, under the superintendence of the register, receiver, &c.

No tract to be sold for a less price than that prescribed for land in the Mississippi territory.

After the 1st Feb. 1812, any tract offered at public sale, and remaining unsold, and tracts embraced by the provisions of the 2d sec. of this act, may be disposed of at private sale, &c. Lands sold by virtue of this section, to be sold, in every other respect, on the same terms, &c. as prescribed for lands in the Mississippi territory.

[† See ch. 340, vol. 3.]

Proviso; two or more persons applying for the same tract, preference to be given to the per-

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non-inhabiting, &c. Provide; until congress decide, no tract to be offered for sale, the claim to which has been duly presented to the register, &c. and filed, &c. nor any tract located for major general La Fayette, &c.

In addition to the township reserved, to be located south of Red river, another township for the use of a seminary of learning to be located north of Red river, and one in the territory of Louisiana, &c.

The surveyor general to cause such of the public lands in the territory of Louisiana as the president directs, to be surveyed and divided, as provided in relation to lands northwest of the Ohio.

[\* See chap. 309, vol. 3.]

A land office to be established for the disposal of the lands of the United States in the territory of Louisiana, &c. A register and receiver, &c. to be appointed, who are to give security, receive the compensations, and perform the duties, &c. as provided in relation to registers, &c. northwest of the Ohio.

[† See chap. 209, vol. 3.]

The president may direct so much of the public land in the territory of Louisiana, as shall have been surveyed, &c. to be offered for sale.

All the lands surveyed, &c. except No. 16, and a tract reserved for the support of a seminary of learning, &c. to be offered for sale to the highest bidder, &c.

the same at the time of such application, the preference shall be given to the person thus inhabiting and cultivating such tract of land. *And provided also*, That till after the final decision of congress thereon, no tract of land shall be offered for sale, the claim to which has been, in due time, and according to law, presented to the register of the land office, and filed in his office, for the purpose of being investigated by the commissioners appointed for the purpose of ascertaining the rights of persons claiming lands in the territory of Orleans; or which shall have been located by or for major general La Fayette, according to law.

SECT. 7. *And be it further enacted*, That, in addition to the township already reserved for that purpose, by law, in the western district of the territory of Orleans, and which shall be located south of Red river, another entire township shall be located by the secretary of the treasury north of Red river, for the use of a seminary of learning, and also an entire township in the territory of Louisiana, for the support of a seminary of learning within the said territory.

SECT. 8. *And be it further enacted*, That the surveyor general shall cause such of the public lands in the territory of Louisiana, as the president of the United States shall direct, to be surveyed and divided, in the same manner, and under the same regulations and limitation as to expenses, as is provided by law in relation to the lands of the United States northwest of the river Ohio, and above the mouth of Kentucky river.\*

SECT. 9. *And be it further enacted*, That, for the disposal of the lands of the United States lying in the territory of Louisiana, a land office shall be established, which shall be kept at such place as the president of the United States may direct; and a register and receiver of public moneys shall be appointed for said office, who shall give security in the same manner, in the same sums, and whose compensations, emoluments, duties, and authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided for by law in relation to the register and receiver of public moneys in the several offices established for the disposal of the lands of the United States northwest of the river Ohio, and above the mouth of Kentucky river.†

SECT. 10. *And be it further enacted*, That the president of the United States be, and he is hereby, authorized, whenever he shall think proper, to direct so much of the public lands lying in the territory of Louisiana, as shall have been surveyed in conformity with the eighth section of this act, to be offered for sale. All such lands shall, with the exception of the section "number sixteen," which shall be reserved in each township for the support of schools within the same, with the exception also of a tract reserved for the support of a seminary of learning, as provided for by the seventh section of this act, and with the exception also of the salt springs and lead mines, and lands contiguous thereto, which, by the direction of the president of the United States, may be reserved for the future disposal of the said states, shall be offered for sale to the highest bidder, under the direc-

tion of the register of the land office, and the receiver of public moneys, and of the principal deputy surveyor, and on such day or days as shall, by public proclamation of the president of the United States, be designated for that purpose. The sales shall remain open for three weeks, and no longer. The lands shall be sold for a price not less than that which has been, or may be, fixed by law for the public lands northwest of the river Ohio, and above the mouth of Kentucky river. And shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions, as have been, or may be, by law, provided for the lands sold in the state of Ohio.\* The superintendents of the said public sales shall, each, receive six dollars for each day's attendance on the said sales. All the lands which have been thus offered for sale, at public sale, remaining unsold at the closing of the public sales, may be disposed of at private sale, by the register of the land office, for the same price which is, or may be, prescribed by law for the sale of public lands in the state of Ohio;† *Provided, however,* That till after the decision of congress thereon, no tract of land shall be offered for sale, the claim to which has been, in due time, and according to law, presented to the recorder of land titles in the district of Louisiana, and filed in his office, for the purpose of being investigated by the commissioners appointed for ascertaining the rights of persons claiming lands in the territory of Louisiana. And patents shall be obtained for all lands sold in the territory of Louisiana, in the same manner, and on the same terms, as is or may be provided by law for land sold in the state of Ohio.‡

SECT. 11. *And be it further enacted,* That the claim of the corporation of the city of New Orleans, to the common adjacent hereto, and within six hundred yards from the fortifications of the same, as confirmed by the act, entitled "An act respecting claims to lands in the territories of Orleans and Louisiana,"§ shall be deemed valid, although the relinquishment of the said corporation to any claim beyond the said distance of six hundred yards was not made till after the expiration of the period of six months prescribed by the act last mentioned.

SECT. 12. *And be it further enacted,* That all the navigable rivers and waters in the territories of Orleans and Louisiana shall be, and forever remain, public highways.

SECT. 13. *And be it further enacted,* That a sum, not exceeding forty thousand dollars, be, and the same is hereby, appropriated, for the purpose of carrying this act into effect, which sum shall be paid out of unappropriated moneys in the treasury.

SECT. 14. *And be it further enacted,* That the act, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana,"|| approved February the sixteenth,|| eighteen hundred and eleven, be, and the same is hereby, repealed.

[Approved, March 3, 1811.]

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The sales to remain open three weeks, &c.

The lands to be sold for not less than the price fixed by law for the public lands northwest of the Ohio; and in every other respect, to be sold in tracts of the same size, &c.

[\* See ch. 309, vol. 3.] Superintendents of sales to receive, each, 6 dolls. for every day's attendance.

Lands offered at public sale and remaining unsold, may be disposed of at private sale, &c.

[† See ch. 309, vol. 3.] *Provido;* until congress decide, no tract to be offered for sale, the claim to which has been duly presented to the recorder, and filed, &c.

Patents for land sold in Louisiana, obtained in the same manner as for that sold in Ohio.

[‡ See ch. 300, vol. 3.]

The claim of the corporation of New Orleans to the common adjacent, &c. to be deemed valid although the relinquishment to any claim beyond 600 yards was not made till after the expiration of six months, &c.

[§ See ante, chap. 91.]

All navigable rivers, &c. in the territories of Orleans and Louisiana, forever to remain public highways.

Not exceeding 40,000 dolls. appropriated for carrying this act into effect.

The act providing for the final adjustment of claims to lands, &c. in the territories of Orleans and Louisiana, of 16th Feb. 1811, repealed.

[|| Ante, ch. 391.] [15th.]

# ACTS OF THE TWELFTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE FIRST SESSION, WHICH WAS BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE 4TH OF NOVEMBER, 1811, AND ENDED ON THE 6TH OF JULY, 1812.

James Madison, President. George Clinton, Vice President, and President of the Senate. Wm. H. Crawford, President of the Senate, pro tempore, from the 26th of March. H. Clay, Speaker of the House of Representatives.

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[<sup>†</sup> Obsolete.]

CHAP. 324. [I.] An act to authorize the transportation of certain documents free of postage.\*

Members of congress, the secretary of the senate, and clerk of the house, authorized to transmit, free of postage, the messages of the president of the 6th and 7th Nov. 1811, and the documents, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the members of congress, the secretary of the senate, and the clerk of the house of representatives, be, and they are hereby, respectively, authorized to transmit, free of postage, the several messages of the president of the United States of the fifth and seventh days of November, in the year one thousand eight hundred and eleven, and the documents accompanying the same, printed by order of the senate and by order of the house of representatives; to any post office within the United States, and territories thereof, to which they may direct, any law to the contrary notwithstanding. [Approved, November 18, 1811.]

[<sup>†</sup> See act of 3d March, 1813; chap. 235, post.]

CHAP. 325. [II.] An act to alter the time of holding one of the terms of the district court in the district of Maine.<sup>†</sup>

After the 28th Nov. 1811, the district court of Maine to be holden at Wiscasset on the second Tuesday of September, annually, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* from and after the passing of this act, the district court of the United States for the district of Maine, shall be holden at Wiscasset, within said district, on the second Tuesday of September, annually, instead of the first Tuesday of said month, any thing, in any former act, to the contrary notwithstanding.

[Approved, November 28, 1811.]

CHAP. 326. [III.] An act making a further appropriation for the support of a library.

1,000 dolls. yearly, for five years, appropriated for purchasing books for the use of congress, in addition, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* in addition to the balance of the former appropriations made to purchase books for the use of congress, there shall be appropri-

ated the sum of one thousand dollars, yearly, for the term of five years; to be paid out of any moneys in the treasury, not otherwise appropriated, and expended under the direction of a joint committee, to consist of three members of the senate and three members of the house of representatives, to be appointed every session of congress, during the continuance of this appropriation. **1811.**  
*[Approved, December 6, 1811.]*

The money to be paid out of the treasury, &c. and expended under the direction of a joint committee of the senate and house, &c.

CHAP. 327. [IV.] An act extending the time for opening the several land offices established in the territory of Orleans.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That so much of the sixth section of an act, entitled "An act providing for the final adjustment of claims to lands, and for the sale of the public lands in the territories of Orleans and Louisiana, and to repeal the act passed for the same purpose, and approved February sixteenth, one thousand eight hundred and eleven,"\* as directs that the several land offices established in the territory of Orleans shall be opened on the first day of January, and on the first day of February, one thousand eight hundred and twelve, be, and the same is hereby, repealed.

So much of the 6th sec. of the act mentioned, as directs the several land offices in the territory of Orleans to be opened on the 1st Jan and 1st Feb. 1812, repealed. (\*Ante, ch. 333.)

SECT. 2. *And be it further enacted,* That the said land offices shall, respectively, be opened on such day or days as the president of the United States shall, by proclamation, designate for that purpose; and the public land shall, in every other respect, be offered for sale at the said offices in the same manner as is directed by the aforesaid act.† *[Approved, December 12, 1811.]*

The land offices referred to, to be opened on such day as the president may designate by proclamation, &c.

(† See ante, chap. 323.)

CHAP. 328. [V.] An act for the relief of Abraham Whipple, late a captain in the navy of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the navy be, and hereby is, directed to place upon the navy list of invalid pensioners of the United States, Abraham Whipple, late a captain in the navy of the United States, who has been so disabled in the line of his duty, while in service, that he is unable to support himself by labor; and who shall be entitled to receive one half the monthly pay of a captain in the navy, to commence from the first day of January, one thousand eight hundred and ten, agreeably to the provisions contained in "An act for the better government of the navy of the United States."‡ *[Approved, December 12, 1811.]*

The secretary of the navy directed to place Abraham Whipple on the navy list of invalid pensioners; and he is to receive half the monthly pay of a captain in the navy, &c.

(‡ Ch. 157, vol. 3.)

CHAP. 329. [VI.] An act allowing further time for completing the payments on certain lands, held by right of pre-emption, in the Mississippi territory.

(§ See ante, sec. 8, chap. 102.)

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That

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Purchasers of public lands by right of pre-emption, in the Mississippi territory, who have paid their first instalment, &c. allowed until 1st Jan. 1813, to complete the payments, &c.

all the purchasers of public lands, by right of pre-emption, in the Mississippi territory, who have made payment of their first instalment of the purchase money, be allowed until the first day of January, one thousand eight hundred and thirteen, to complete the payments on their lands, respectively, any law to the contrary notwithstanding. [Approved, December 12, 1811.]

CHAP. 330. [VII.] An act for the relief of Josiah H. Webb.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* Josiah H. Webb, who was wounded in the Creek nation of Indians, while employed in carrying the mail of the United States from Athens, in Georgia, to New Orleans, be, and he is hereby, allowed the sum of fifty dollars, payable, annually, out of the treasury of the United States, to commence on the first day of January, one thousand eight hundred and nine, and continue during his natural life. [Approved, December 12, 1811.]

Josiah H. Webb, who was wounded in the Creek nation of Indians, while carrying the mail from Athens to New Orleans, allowed 50 dollars, annually, for life, &c.

CHAP. 331. [VIII.] An act to authorize the surveying and marking of certain roads in the state of Ohio, as contemplated by the treaty of Brownstown, in the territory of Michigan.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the president of the United States be, and hereby is, authorized to appoint three commissioners, who shall explore, survey, and mark, by the most eligible course, a road from the foot of the rapids of the river Miami of Lake Erie, to the western line of the Connecticut Reserve, and a road to run southwardly, from Lower Sandusky, to the boundary line established by the treaty of Greenville,\* which said road shall be sixty feet in width; and the said commissioners shall make out accurate plats of such surveys, accompanied with field notes, and certify and transmit the same to the president of the United States, who, if he approves of said surveys, shall cause the plats thereof to be deposited in the office of the treasury of the United States; and the said roads shall be considered as established and accepted, pursuant to the treaty held at Brownstown,† in the territory of Michigan, on the twenty-fifth day of November, one thousand eight hundred and eight.

The president authorized to appoint three commissioners, to explore, survey, and mark, the most eligible course for the road described, &c.

[\*See the treaty, page 398, vol. I.] The road mentioned to be 60 feet in width. The commissioners to make out accurate plats, &c. and transmit the same to the president, who, &c.

[†See the treaty, page 417, vol. I.]

The roads to be opened and made as the president directs.

SECT. 2. *And be it further enacted, That* the aforesaid roads shall be opened and made under the direction of the president of the United States, in such manner as he shall direct.

SECT. 3. *And be it further enacted, That* the said commissioners shall, each, be entitled to receive three dollars, and their necessary assistants one dollar and fifty cents, for each and every day which they shall be necessarily employed in the exploring, surveying, and marking, said roads; and for the purpose of compensating the aforesaid commissioners and their assistants, and

3 dollars, to each commissioner, and 1 doll. 50 cts. to each assistant, for every day necessarily employed in exploring, &c. 8,000 dollars, appropriated for compensating

for opening and making said roads, there shall be, and hereby is, appropriated the sum of six thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated. 1811.

[Approved, December 12, 1811.] the commissioners, &c. and for opening and making the roads, &c.

CHAP. 332. [IX.] An act for the apportionment of representatives among the several states, according to the third enumeration.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* from and after the third day of March, one thousand eight hundred and thirteen, the house of representatives shall be composed of members elected agreeably to a ratio of one representative for every thirty-five thousand persons in each state, computed according to the rule prescribed by the constitution of the United States;\* that is to say: Within the state of New Hampshire, six; within the state of Massachusetts, twenty; within the state of Vermont, six; within the state of Rhode Island, two; within the state of Connecticut, seven; within the state of New York, twenty-seven; within the state of New Jersey, six; within the state of Pennsylvania, twenty-three; within the state of Delaware, two; within the state of Maryland, nine; within the state of Virginia, twenty-three; within the state of North Carolina, thirteen; within the state of South Carolina, nine; within the state of Georgia, six; within the state of Kentucky, ten; within the state of Ohio, six; within the state of Tennessee, six.

[Approved, December 21, 1811.]

After the 3d March, 1813, the house of representatives to be composed of members elected agreeably to a ratio of one representative for every 35,000 persons in each state, as specified.

\* See the const. art. 1, sec. 2, cl. 3, page 61, vol. 1.]

CHAP. 333. [X.] An act for completing the existing military establishment.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the military establishment, as now authorized by law, be immediately completed.

SECT. 2. *And be it further enacted, That* there be allowed and paid to each effective, able bodied man, recruited or re-enlisted for that service, for the term of five years, unless sooner discharged, the sum of sixteen dollars; but the payment of one-half of the said bounty shall be deferred, until he shall be mustered and have joined the corps in which he is to serve; and whenever any noncommissioned officer or soldier shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, he shall, moreover, be allowed and paid, in addition to the aforesaid bounty, three months' pay, and one hundred and sixty acres of land; and the heirs and representatives of those noncommissioned officers or soldiers, who may be killed in action, or die in the service of the United States, shall, likewise, be paid and allowed the said additional bounty of three months' pay, and one hundred and sixty acres of land, to be designated, surveyed, and laid off, at the

† See the note at the end of chap. 760, post.]

The military establishment, &c. to be immediately completed.

16 dolls. bounty to each eff. able bodied man, recruited or re-enlisted, &c.

The payment of half the bounty to be deferred, until, &c.

Noncommissioned officers and soldiers discharged from service, and who have obtained from the commanding officer, &c. a certificate that they had faithfully performed duty, &c. are to be allowed three months' pay in addition, and 160 acres of land, which, in case they are killed, or die in the service, are to go to their heirs, &c. to be designated, surveyed, &c. &c.



1811-12. public expense, in such manner, and upon such terms and conditions, as may be provided by law.\*  
 [Approved, December 24, 1811.]

the public expense, &c.  
 [\* See act of 6th May, 1812, chap. 400, post.]

CHAP. 334. [XI.] An act authorizing the president of the United States to raise certain companies of rangers, for the protection of the frontier of the United States.†

[† Expired.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States, whenever he shall have satisfactory evidence of the actual or threatened invasion of any state, or territory of the United States, by any Indian tribe or tribes, be, and he is hereby, authorized to raise, either by the acceptance of volunteers or enlistment for one year, unless sooner discharged, as many companies as he may deem necessary, not exceeding six,‡ who shall serve on foot, or be mounted, as the service in his opinion may require, shall act on the frontier as rangers, be armed, equipped, and organized, in such manner, and be under such regulations and restrictions, as the nature of the service, in his opinion, may make necessary.

The president authorised, in case of actual or threatened invasion of any state or territory by any Indian tribe, &c. to raise, &c. not exceeding six companies, &c. to act on the frontier as rangers, &c.  
 [† See act of 20th April, 1812, ch. 443, post.]

Organisation of each company of rangers, &c.

SECT. 2. *And be it further enacted,* That each of the said companies of rangers shall consist of one captain, one first, one second, lieutenant, one ensign, four sergeants, four corporals, and sixty privates.

When the rangers arm and equip themselves, &c. they are each to receive 1 doll. per day, and 75 cts. without a horse, &c.  
 Commissioned officers to receive the same pay, &c. as officers in the army, &c.  
 Officers, &c. raised pursuant to this act to be entitled to like compensation in case of disability, &c. as officers and privates in the military establishment, &c.  
 The provisions of the act fixing the military peace establishment, so far, &c. extended to persons, &c. within the intent, &c. of this act, &c.  
 [§ Ch. 369, vol. 3.]

† This act to continue in force until the 3d Aug. 1813. See chap. 451, post.

‡ The president may appoint all the officers, proper, &c. in the recess, &c. to be submitted, &c.

SECT. 3. *And be it further enacted,* That when the said rangers arm and equip themselves, and provide their own horses, they shall be allowed, each, one dollar per day, and without a horse, seventy-five cents per day, as full compensation for their services, rations, or forage, as the case may be. The commissioned officers shall receive the same pay and rations as officers of the same grade in the army of the United States.

SECT. 4. *And be it further enacted,* That the officers, non-commissioned officers, and privates, raised pursuant to this act, shall be entitled to the like compensation in case of disability, by wounds and otherwise, incurred in the service, as officers, noncommissioned officers, and privates, in the present military establishment, and, with them, shall be subject to the rules and articles of war, which have been established, or may hereafter be established; and the provisions of the act, entitled "An act fixing the military peace establishment of the United States,"§ so far as they may be applicable, shall be extended to all persons, matters, and things, within the intent and meaning of this act, in the same manner as if they were inserted at large in the same. This act shall take effect, and be in force, from and after the passage thereof, and continue in force for one year, and from thence to the end of the next session of congress.

SECT. 5. *And be it further enacted,* That, in the recess of the senate, the president of the United States is hereby authorized to appoint all the officers proper to be appointed under this act; which appointments shall be submitted to the senate, at their next session, for their advice and consent.

[Approved, January 2, 1812.]

CHAP. 335. [XII.] An act to authorize the laying out and opening a public road, from the line established by the treaty of Greenville, to the North Bend, in the state of Ohio.

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SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the president of the United States be, and he is hereby, authorized to cause to be opened, a road from the point where the United States' road from Vincennes to the former Indian boundary line, established by the treaty of Greenville,\* strikes the said line, to the North Bend in the state of Ohio.

The president authorized to cause to be opened a road from the point where the United States' road from Vincennes, &c. strikes the line referred to, to the North Bend, in Ohio.

SECT. 2. *And be it further enacted, That*, for the purpose of defraying the expenses of opening the said road, there is hereby appropriated a sum of money, not exceeding eight hundred dollars, payable out of any moneys in the treasury, not otherwise appropriated. [Approved, January 8, 1812.]

[\* See the treaty, page 398, vol. 1.]  
Not exceeding 800 dols. appropriated for defraying the expenses of opening the road, &c.

CHAP. 336. [XIII.] An act for the relief of John Burnham.†

[† Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* there be paid to John Burnham, out of any moneys in the treasury, not otherwise appropriated, the sum of one hundred and twenty-six dollars and seventy-two cents, and the interest on the same since the thirtieth day of May, one thousand seven hundred and ninety-six,‡ which, in addition to the sum allowed him by the act of that date, is to be considered as a reimbursement of the money by him advanced for his ransom from captivity in Algiers. [Approved, January 10, 1812.]

126 dols. 72 cts. to be paid to John Burnham, with interest, which, in addition, &c. is to be considered a reimbursement of the money advanced by him for his ransom from captivity in Algiers. [† See sec. 4, ch. 335, vol. 2.]

CHAP. 337. [XIV.] An act to raise an additional military force.§

[§ See the note at the end of ch. 760, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* there be immediately raised ten regiments of infantry, two regiments of artillery, and one regiment of light dragoons, to be enlisted for the term of five years, unless sooner discharged.

10 regts. of infantry, 2 of artillery, and 1 of light dragoons, to be immediately raised for five years.

SECT. 2. *And be it further enacted, That* a regiment of infantry shall consist of eighteen captains, eighteen first lieutenants, eighteen second lieutenants, eighteen ensigns, seventy-two sergeants, seventy-two corporals, thirty-six musicians, and eighteen hundred privates, which shall form two battalions, each of nine companies. A regiment of artillery shall consist of twenty captains, twenty first lieutenants, twenty second lieutenants, forty cadets, eighty sergeants, eighty corporals, one hundred and sixty artificers, forty musicians, and fourteen hundred and forty privates, which shall form two battalions, each of ten companies. The regiment of cavalry shall consist of twelve captains, twelve first lieutenants, twelve second lieutenants, twelve cornets, twenty-four cadets, forty-eight sergeants, forty-eight corporals, twelve saddlers, twelve farriers, twelve trumpeters, and nine hundred

Organisation of a regiment of infantry.

Organisation of a regiment of artillery.

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and sixty privates, which shall form two battalions, each of six companies.

1 colonel, 2 lieut. cols. 2 majors, &c. to each regiment, &c.

SECT. 3. *And be it further enacted*, That, to each regiment raised under this act, whether of infantry, artillery, or light dragoons, there shall be appointed one colonel, two lieutenant colonels, two majors, two adjutants, one quartermaster, one paymaster, one surgeon, two surgeon's mates, two sergeant majors, two quartermaster sergeants, and two senior musicians.

2 major generals, with 2 aids each, &c.

SECT. 4. *And be it further enacted*, That there shall be appointed two major generals, each of whom shall be allowed two aids, to be taken from the commissioned officers of the line; and five brigadier generals, each of whom shall be allowed a brigade major and an aid, to be taken from the captains and subalterns of the line; and there shall also be appointed one adjutant general and one inspector general, each with the rank, pay, and emoluments, of a brigadier general; the said adjutant general shall be allowed one or more assistants, not exceeding three, to be taken from the line of the army, with the same pay and emoluments as by this act are allowed to a lieutenant colonel: the said inspector general shall be allowed two assistant inspectors, to be taken from the line of the army, each of whom shall receive, while acting in said capacity, the same pay and emoluments as by this act are allowed to a lieutenant colonel: there shall also be appointed such number of hospital surgeons and mates, as the service may require, with one steward to each hospital.

5 brigadier generals, with a brigade major and an aid, each, &c.

An adjutant general, and an inspector general, &c.

The adjutant general and inspector general to be allowed assistants, &c.

Hospital surgeons, &c. to be appointed.

When an officer is detached to serve as brigade major, aid, &c. he does not lose his rank.

SECT. 5. *And be it further enacted*, That when an officer is detached to serve as brigade major or aid, or as assistant to the adjutant general, or inspector general, on the appointment of a general officer, or as adjutant or quartermaster, on the appointment of a colonel, he shall not thereby lose his rank.

Pay, &c. of major generals, and their aids; and pay, &c. of brigadier generals.

SECT. 6. *And be it further enacted*, That the major generals, respectively, shall be entitled to two hundred dollars monthly pay, with twenty dollars allowance for forage, monthly, and fifteen rations per day. Their aid de camp shall, each, be entitled to twenty-four dollars monthly, in addition to their pay in the line, and ten dollars monthly for forage, and four rations. The brigadier generals, respectively, shall be entitled to one hundred and four dollars monthly pay, twelve rations per day, and sixteen dollars per month for forage, when not found by the public.

Other officers, cadets, privates, &c. to receive the like pay, rations, forage, &c. as officers, privates, &c. of the existing military establishment.

SECT. 7. *And be it further enacted*, That all other officers, cadets, noncommissioned officers, musicians, artificers, and privates, authorized by this act, shall receive the like pay, forage, rations, clothing, and other emoluments, as the officers of the same grade and corps, cadets, noncommissioned officers, musicians, artificers, and privates, of the present military establishment.

Each ration to consist of the articles, &c. mentioned.

SECT. 8. *And be it further enacted*, That each ration shall consist of one pound and a quarter of beef, or three-quarters of a pound of pork, eighteen ounces of bread or flour, one gill of rum, whiskey, or brandy, and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles, to every hundred rations.

**SECT. 9.** *And be it further enacted,* That every noncommissioned officer, musician, and private, of the artillery and infantry, shall receive, annually, the following articles of uniform clothing; to wit: one hat, one coat, one vest, two pair of woollen, and two pair of linen, overalls, one coarse linen frock and trousers, for fatigue clothing, four pair of shoes, four shirts, two pair of socks, two pair of short stockings, one blanket, one stock and clasp, and one pair of half gaiters: And the secretary of war is hereby authorized to cause to be furnished to the paymasters of the respective districts, such surplus of clothing as he may deem expedient, which clothing shall, under his direction, be furnished to the soldiers, when necessary, at the contract prices, and accounted for by them out of their arrears of monthly pay.

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Noncommissioned officers, privates, &c. of the artillery and infantry, to receive, annually, the articles of uniform clothing specified.

The secretary of war to cause the paymasters to be furnished with surplus clothing, for the soldiers, at contract prices, &c.

**SECT. 10.** *And be it further enacted,* That the officers, noncommissioned officers, musicians, and privates, of the said corps, shall be governed by the rules and articles of war, which have been established by the United States in congress assembled, or by such rules and articles as may be hereafter, by law, established.

The officers, privates, &c. to be governed by the rules and articles of war, &c.

**SECT. 11.** *And be it further enacted,* That the commissioned officers who shall be employed in the recruiting service, shall be entitled to receive, for every effective able bodied man who shall be duly enlisted by him, for the term of five years, and mustered, (and between the ages of eighteen and forty-five years) the sum of two dollars: *Provided, nevertheless,* That this regulation so far as respects the age of the recruit, shall not extend to musicians, or to those soldiers who may re-enlist into the service: *And provided also,* That no person under the age of twenty-one years shall be enlisted by any officer, or held in the service of the United States, without the consent, in writing, of his parent, guardian, or master, first had and obtained, if any he have; and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence he shall forfeit and pay the amount of the bounty and clothing which the person so recruited may have received from the public, to be deducted out of the pay and emoluments of such officer.

Commissioned officers employed in recruiting entitled to receive two dollars for every effective able bodied man duly enlisted, &c.

Provido; the regulation respecting age, not to extend to musicians, &c.

Provido; persons under the age of 21, not to be enlisted, &c. without the written consent of the parent, &c. Officers enlisting persons contrary to this act, to pay the amount of the bounty and clothing, &c.

**SECT. 12.** *And be it further enacted,* That there shall be allowed and paid to each effective able bodied man, recruited as aforesaid, to serve for the term of five years, a bounty of sixteen dollars; but the payment of eight dollars of the said bounty shall be deferred until he shall be mustered, and have joined some military corps of the United States for service. And whenever any noncommissioned officer, or soldier, shall be discharged from the service, who shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, he shall, moreover, be allowed and paid, in addition to the said bounty, three months' pay, and one hundred and sixty acres of land; and the heirs and representatives of those noncommissioned officers or soldiers who may be killed in action, or die in the service of the United States, shall likewise be paid and allowed the said additional bounty of three months' pay, and one hundred and sixty,

16 dolls. bounty to each recruit. The payment of 8 dolls. of the bounty to be deferred, until, &c. When any noncommissioned officer or soldier is discharged, and has obtained a certificate from the commanding officer that he had performed his duty, he is to be allowed, in addition, three months' pay and 160 acres of land; and, in case of his being killed or dying, &c. the heirs and representatives are to receive the additional bounty; to be disig-

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ated, surveyed,  
&c. at the public  
expense.

Arrears of pay  
not to exceed  
two months, un-  
less, &c.

Officers, pri-  
vates, &c. dis-  
abled by wounds,  
in service, to be  
placed on the  
list of invalid  
pensioners, &c.  
Provido; the  
compensation  
for wounds, &c.  
to a commission-  
ed officer, not to  
exceed half the  
monthly pay,  
&c. and no offi-  
cer to receive  
more than the  
half pay of a  
lieutenant col-  
onel.

The rate of pen-  
sions to noncom-  
missioned offi-  
cers, privates,  
&c. not to ex-  
ceed 5 dolls. per  
month.

Provido; inferior  
disabilities to  
entitle the per-  
son to an allow-  
ance propor-  
tional.

Widows and  
children of com-  
missioned offi-  
cers dying of  
wounds received  
in actual service,  
to receive half  
the monthly pay  
to which the de-  
ceased was enti-  
tled, &c. for five  
years.

In case the wi-  
dow marries be-  
fore the expira-  
tion of the five  
years, the half  
pay is to go to  
the children.  
Provido; the half  
pay to cease on  
the death of the  
children.

Noncommission-  
ed officers, pri-  
vates, &c. de-  
serting the ser-  
vice, liable, in  
addition to pen-  
alties, &c. to  
serve the full  
term; and may  
be tried by a  
court martial  
and punished,  
although, &c.  
Persons, &c. en-  
ticing soldiers to  
desert, or pur-  
chasing their  
arms, uniform  
clothing, &c.  
and commanders  
of vessels receiv-  
ing on board sol-  
diers, knowing  
them to be de-  
serters, &c. lia-  
ble to a fine not  
exceeding 300

acres of land; to be designated, surveyed, and laid off, at the pub-  
lic expense, in such manner, and upon such terms and conditions,  
as may be provided by law.

SECT. 13. *And be it further enacted*, That the said corps shall  
be paid in such manner, that the arrears shall, at no time, exceed  
two months, unless the circumstances of the case shall render it  
unavoidable.

SECT. 14. *And be it further enacted*, That if any officer, non-  
commissioned officer, musician, or private, shall be disabled by  
wounds, or otherwise, while in the line of his duty in public ser-  
vice, he shall be placed on the list of invalids of the United  
States, at such rate of pension, and under such regulations, as  
are or may be directed by law: *Provided always*, That the com-  
pensation to be allowed for such wounds or disabilities, to a com-  
missioned officer, shall not exceed, for the highest rate of disa-  
bility, half the monthly pay of such officer, at the time of his  
being disabled or wounded; and that no officer shall receive more  
than the half pay of a lieutenant colonel; and that the rate of com-  
pensation to noncommissioned officers, musicians, and privates,  
shall not exceed five dollars per month: *And provided also*, That  
all inferior disabilities shall entitle the person so disabled to re-  
ceive an allowance proportionate to the highest disability.

SECT. 15. *And be it further enacted*, That if any commission-  
ed officer in the military establishment of the United States shall,  
while in the service of the United States, die by reason of any  
wound received in actual service of the United States, and leave  
a widow, or if no widow, a child or children, under sixteen years  
of age, such widow, or if no widow, such child or children, shall  
be entitled to and receive half the monthly pay to which the de-  
ceased was entitled at the time of his death, for and during the  
term of five years. But in case of the death or intermarriage of  
such widow before the expiration of the said term of five years,  
the half pay for the remainder of the time shall go to the child  
or children of such deceased officer: *Provided always*, That such  
half pay shall cease on the decease of such child or children.

SECT. 16. *And be it further enacted*, That if any noncommis-  
sioned officer, musician, or private, shall desert the service of the  
United States, he shall, in addition to the penalties mentioned in  
the rules and articles of war, be liable to serve for and during  
such a period as shall, with the time he may have served pre-  
vious to his desertion, amount to the full term of his enlistment;  
and such soldier shall and may be tried by a court martial, and  
punished, although the term of his enlistment may have elapsed  
previous to his being apprehended or tried.

SECT. 17. *And be it further enacted*, That every person not  
subject to the rules and articles of war, who shall procure or en-  
tice a soldier in the service of the United States to desert; or  
who shall purchase from any soldier his arms, uniform clothing,  
or any part thereof; and every captain or commanding officer of  
any ship or vessel, who shall enter on board such ship or vessel,  
as one of his crew, knowing him to have deserted, or otherwise  
carry away, any such soldier, or shall refuse to deliver him up

to the orders of his commanding officer, shall, upon legal conviction, be fined at the discretion of any court having cognizance of the same, in any sum not exceeding three hundred dollars, and be imprisoned any term not exceeding one year.

**SECT. 18.** *And be it further enacted,* That every officer, non-commissioned officer, musician, and private, shall take and subscribe the following oath or affirmation; to wit: "*I, A B, do solemnly swear, or affirm, (as the case may be,) that I will bear true faith and allegiance to the United States of America, and that I will serve them, honestly and faithfully, against their enemies or opposers whomsoever; and that I will observe and obey the orders of the president of the United States, and the orders of the officers appointed over me, according to the rules and articles of war.*"

**SECT. 19.** *And be it further enacted,* That there shall be appointed to each division a judge advocate, who shall be entitled to the same pay and emoluments as a major in the infantry; or, if taken from the line of the army, shall be entitled to thirty dollars per month in addition to his pay, and the same allowance for forage as is allowed by law for a major of infantry.

**SECT. 20.** *And be it further enacted,* That where any commissioned officer shall be obliged to incur any extra expense in travelling and sitting on general courts martial, he shall be allowed a reasonable compensation for such extra expense, actually incurred, not exceeding one dollar and twenty-five cents per day to officers who are not entitled to forage, and not exceeding one dollar per day to such as shall be entitled to forage.

**SECT. 21.** *And be it further enacted,* That no noncommissioned officer, musician, or private, during the term of his service, shall be arrested on mesne process, or taken or charged in execution for any debt or debts contracted before enlistment, which were, severally, under twenty dollars at the time of contracting the same, nor for any debt whatever contracted after enlistment.

**SECT. 22.** *And be it further enacted,* That whenever any officer or soldier shall be discharged from the service, except by way of punishment for any offence, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of discharge to the place of his residence, computing at the rate of twenty miles to a day.

**SECT. 23.** *And be it further enacted,* That the subsistence of the officers of the army, when not received in kind, shall be estimated at twenty cents per ration.

**SECT. 24.** *And be it further enacted,* That there shall be appointed to each brigade one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

**SECT. 25.** *And be it further enacted,* That no general, field, or staff officer, who may be appointed by virtue of this act, shall be entitled to receive any pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein. [Approved, January 11, 1812.]

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dolla. and to imprisonment not exceeding one year.

Officers, privates, &c. to take and subscribe an oath. Form of the oath.

A judge advocate to each division, with the pay and emoluments of a major in the infantry, &c.

Commissioned officers obliged to incur extra expense in travelling and sitting on general courts martial, to be allowed a reasonable compensation, not exceeding, &c.

No noncommissioned officer, private, &c. during his term of service, to be arrested, &c. for any debt under 20 dolla. contracted before enlistment, nor for any debt contracted afterwards.

When an officer or soldier is discharged, &c. except by way of punishment, &c. he is to be allowed his pay and rations, &c. to his place of residence, at the rate of 20 miles a day.

Subsistence of the officers of the army, &c. estimated at 20 cents per ration. One chaplain to each brigade, with the pay, &c. of a major, &c.

No general, field, or staff officer, appointed under this act, to be entitled to pay, &c. until called into actual service, nor, &c.

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CHAP. 334. [XV.] An act directing the terms on which lands sold at public sale, and that revert for failure in payment, shall again be sold.

No tract of public lands, sold at public sale, and reverting to the United States on account of failure to complete the payment, to be hereafter sold at private sale for a less price than that for which it was sold at public sale.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* no tract or tracts of the reserved sections or other public lands of the United States, that have been, or may hereafter be, sold at public sale, and which may have, or shall, on account of failure to complete the payment of the purchase money, revert to the United States, shall hereafter be sold at private sale, at a price less than that for which the same tract was sold at public sale. [Approved, January 14, 1812.]

CHAP. 339. [XVI.] An act authorizing the purchase of ordnance and ordnance stores, camp-equipage, and other quartermaster's stores, and small arms.\*

[\* Obsolete.]

1,500,000 dolls. appropriated for the purchase of ordnance, ordnance stores, camp equipage, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the sum of one million five hundred thousand dollars be, and the same is hereby, appropriated for the purchase, under the direction of the president of the United States, of ordnance and ordnance stores, camp equipage, and other quartermaster's stores, for the use of the army of the United States.

400,000 dolls. appropriated for the purchase of saltpetre and sulphur, &c. and of ordnance and small arms for the navy.

SECT. 2. *And be it further enacted, That* the sum of four hundred thousand dollars be, and the same is hereby, appropriated for the purchase, under the direction of the president of the United States, of saltpetre and sulphur, for making the same into powder, and for ordnance and small arms, for the use of the navy of the United States. [Approved, January 14, 1812.]

CHAP. 340. [XVII.] An act to alter the time of holding the district courts of the United States for the North Carolina district.

Instead of the time heretofore established, &c. the sessions of the district courts in North Carolina to commence and be holden as specified.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* instead of the time heretofore established by law for the sessions of the district courts of the United States, in the North Carolina district, the said courts shall hereafter commence and be holden on the following days, in each year; that is to say: At Edenton, in and for the district of Albemarle, on the third Monday of April, and third Monday of October; at Newbern, in and for the district of Pamlico, on the first Monday after the third Monday of April, and third Monday of October; at Wilmington, in and for the district of Cape Fear, on the second Monday after the third Monday of April, and third Monday of October, any thing contained in any former act or acts† to the contrary notwithstanding. And all actions, suits, process, pleadings, recognisances, and all other proceedings, of what nature or kind soever, civil or criminal, commenced or to be commenced, and made returnable to any of the said courts, in the month of February next, shall be continued, respectively, and shall be returned to,

[† See act of 9th March, 1808; ante, chap. 133.] Actions, suits, &c. to be continued and returned accordingly.

and have day in, the term of said courts next to be holden by 1812.  
 virtue of this act, and the same proceedings shall be had thereon,  
 with the same effect and power they would have had if this al-  
 teration had not been made.

**SECT. 2.** *And be it further enacted,* That if the judge of the district courts aforesaid should fail to attend on the first day of the term of any of the said courts, respectively, it shall and may be lawful for the marshal of the district, and he is hereby authorized, to adjourn the said court or courts, until the next succeeding day; and if the said judge does not attend before the expiration of the second day of the term of the said court or courts, respectively, it shall and may be lawful for the marshal aforesaid to adjourn the said court or courts to the term next in course, any thing in any former act or acts to the contrary notwithstanding.  
*[Approved, January 23, 1812.]*

If the district judge fails to attend on the first day of the term, the marshal may adjourn the court until the succeeding day; and if the judge does not attend before the expiration of the second day, &c., the marshal may adjourn the court to the term next in course, &c.

**CHAP. 341. [XVIII.]** An act to continue in force, for a further time, the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."\*

\*Obsolete. See the orig. act, of 25th March, 1804, chap. 399, vol. 3.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That so much of the act, passed on the twenty-fifth day of March, one thousand eight hundred and four, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers,"† as is contained in the first section of the said act, and which was revived and continued in force, for the time therein mentioned, by an act, entitled "An act to revive and continue in force, for a further time, the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers,'"‡ passed on the twelfth day of January, one thousand eight hundred and ten, be, and the same is hereby, continued in force until the fourth day of March, one thousand eight hundred and thirteen: *Provided, however,* That the additional duty laid by the said section, shall be collected on all such goods, wares, and merchandise, liable to pay the same, as shall have been imported previous to that day. *[Approved, January 31, 1812.]*

The 1st sec. of the act further to protect the commerce and seamen of the United States against the Barbary powers, continued until the 4th March, 1813.  
 [Ch. 399, vol. 3.]

[Ante, ch. 230.]

Provido; the additional duty laid by the sec. continued, to be collected on all goods, &c. imported previous to the day mentioned.

**CHAP. 342. [XIX.]** An act to empower the secretary of the treasury to decide on the case of the ship *Eliza Ann*, belonging to Ezekiel Hubbel, and the case of the ship *Mary and Frances*, belonging to Nathaniel Goddard.

[Private and obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he is hereby, authorized and empowered to make the same decision on the case of the ship *Eliza Ann*, of New York, purchased by Ezekiel Hubbel of William Lyman, the acting agent of Joshua Jones and Edward B. Jones, of New York, trading under the firm of Joshua Jones and Son; and the case of the ship *Mary and Frances*, of

The secretary of the treasury empowered to make the same decision on the case of the ship *Eliza Ann*, &c. and on the case of the ship *Mary and Frances*, &c. as he would have made had application been made to him pre-



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vious to the removing of the disability incurred by Ezekiel Hubbel and Nathaniel Goddard: *Provided*; nothing herein contained shall be so construed as to restrict the secretary of the treasury from requiring satisfactory proof of the fairness of every act, &c. Not exceeding 1,400 dolls. appropriated, &c. to render effectual the decision of the secretary of the treasury, should it be in favor, &c.

Boston, owned by Nathaniel Goddard, as he would have made had application been made to him previous to the removing of the disability incurred by the said Ezekiel Hubbel and the said Nathaniel Goddard: *Provided, however*, That nothing herein contained shall be so construed as to restrict the secretary of the treasury from requiring satisfactory proof of the fairness of every act having relation to these transactions.

SECT. 2. *And be it further enacted*, That a sum, not exceeding one thousand four hundred dollars, be, and the same is hereby appropriated, out of any moneys in the treasury, not otherwise appropriated, to render effectual the decision of the secretary of the treasury, should it be in favor of the said Ezekiel Hubbel and Nathaniel Goddard, or either of them.

[Approved, January 31, 1812.]

CHAP. 343. [XX.] An act to alter the times of holding the district courts within and for the district of Connecticut.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the district court within and for the district of Connecticut, shall hereafter be holden on the fourth Tuesdays of February, May, August, and November, in each year, any law to the contrary notwithstanding. And that all actions, suits, writs, process, pleadings, or other proceedings, commenced, or to be commenced, or which are now pending in the district court in said district, may be returned to, and shall be continued to, the district court, to be holden on the fourth Tuesday of February, one thousand eight hundred and twelve, as is herein provided.

[Approved, February 6, 1812.]

[Repealed, by act of 30th Jan. 1813; sec. 18, chap. 480, post.] The president authorized to accept the services of not exceeding 50,000 volunteers. The volunteers to be clothed, &c. at their own expense, and armed, &c. at the expense of the United States, &c. Commissioned officers to be appointed in the manner prescribed by law in the several states, &c. *Provided*; where any company, battalion, &c. already organized, tender voluntary service, they are to continue to be commanded by the

CHAP. 344. [XXI.] An act authorizing the president of the United States to accept and organize certain volunteer military corps.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized to accept of any company or companies of volunteers, either of artillery, cavalry, or infantry, who may associate and offer themselves for the service, not exceeding fifty thousand men; who shall be clothed, and in case of cavalry, furnished with horses, at their own expense, and armed and equipped at the expense of the United States, after they shall be called into service; and whose commissioned officers shall be appointed in the manner prescribed by law in the several states and territories to which such companies shall, respectively, belong: *Provided*, That where any company, battalion, regiment, brigade, or division, of militia, already organized, shall tender their voluntary service to the United States, such company, battalion, regiment, brigade, or division, shall continue to be commanded by the officers holding commissions in the same at the time of such tender; and

any vacancy thereafter occurring, shall be filled in the mode pointed out by law in the state or territory wherein the said company, battalion, regiment, brigade, or division, shall have been originally raised.\*

**SECT. 2.** *And be it further enacted,* That any company, battalion, regiment, brigade, or division, thus offering itself for the service, shall be liable to be called upon to do military duty at any time the president of the United States shall judge proper, within two years after he shall have accepted the same; and shall be bound to continue in service for the term of twelve months after they shall have arrived at the place of rendezvous, unless sooner discharged; and when so called into service, and whilst remaining therein, shall be under the same rules and regulations, and be entitled to the same pay, rations, forage, and emoluments, of every kind, bounty and clothing excepted, with the regular troops of the United States: *Provided,* That, in lieu of clothing, every noncommissioned officer and private in any company, who may thus offer themselves, shall be entitled, when called into service, to receive, in money, a sum equal to the cost of the clothing of a noncommissioned officer or private, (as the case may be) in the regular troops of the United States.

**SECT. 3.** *And be it further enacted,* That the president of the United States be, and he hereby is, authorized to organize the companies so tendering their service as aforesaid, into battalions, squadrons, regiments, brigades, and divisions, as soon as the number of volunteers shall render such organization, in his judgment, expedient; but, until called into actual service, such companies are not to be considered as exempt from the performance of militia duty, as is required by law, in like manner as before the passage of this act.

**SECT. 4.** *And be it further enacted,* That, in case any volunteer abovementioned, while in actual service, shall sustain any damage, by injury done to his horse, or such other equipment as shall have been furnished at his own expense, or by loss of the same, without any fault or negligence on his part, a reasonable sum, to be ascertained in such manner as the president of the United States may direct, shall be allowed and paid to such volunteer, for each and every such loss or damage.

**SECT. 5.** *And be it further enacted,* That if any officer, noncommissioned officer, musician, or private, shall be disabled by wounds, or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalid pensioners of the United States, at such rate of pension, and under such regulations, as are, or may be, directed by law: *Provided always,* That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed, for the highest rate of disability, half the monthly pay of such officer, at the time of his being wounded or disabled; and that no officer shall receive more than the half pay of a lieutenant colonel: And that the rate of pension to noncommissioned officers, musicians, and privates, shall not exceed five dollars per month: *And provided also,* That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

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officers holding commissions at the time, &c.

[See chap. 461, post.]

Any company, battalion, &c. liable to be called upon to do military duty at any time within two years, &c.

Volunteers, &c. subject to the same rules and regulations, and entitled to the same pay, &c. as the regular troops.

Proviso; in lieu of clothing, every noncommissioned officer and private of the volunteers, when, &c. to receive, in money, a sum equal to the cost of the clothing, &c.

The president authorized to organize the companies tendering, &c. into battalions, squadrons, &c. Until called into actual service, the volunteers not exempt from militia duty, &c.

In case any volunteer in actual service sustains any damage, by injury done to his horse, &c. without fault, &c. on his part, he is to be allowed a reasonable sum, &c.

Officers, privates, &c. disabled by wounds in public service, to be placed on the list of invalid pensioners, &c.

Proviso; the compensation allowed for wounds, &c. to commissioned officer, not to exceed half his monthly pay; and no officer to receive more than the half pay of a lieutenant col. The rate of pension to privates, &c. not to exceed \$ dolls. per month.

Proviso; proportionate allowance for inferior disabilities.

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The heirs, &c. of any noncommissioned officer or soldier, killed in action, &c. entitled to 100 acres of land, to be designated, surveyed, &c. at the public expense, &c. Upon the discharge of any noncommissioned officer or soldier, accepted under this act, and who has been in actual service not less than a month, and obtained a certificate, &c. to be presented with a musket, pistols, &c. as a public testimony, &c.

1,000,000 dollars appropriated to defray the expenses which may be incurred under this act, &c.

SECT. 6. *And be it further enacted*, That the heirs and representatives of any noncommissioned officer or soldier, who may be killed in action, or die in the actual service of the United States, shall be entitled to receive one hundred and sixty acres of land; to be designated, surveyed, and laid off, at the public expense, in such manner, and upon such terms and conditions, as may be provided by law.

SECT. 7. *And be it further enacted*, That upon the discharge of any noncommissioned officer or soldier, who shall have been accepted under the provisions of this act, and shall have been in actual service for a period not less than one month, and shall have obtained, from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty while in service, such noncommissioned officer or soldier, if attached to the artillery or infantry, shall be presented with a musket, bayonet, and other personal equipments; or, if attached to the cavalry, with the sabre and pistols furnished him by the United States; as a public testimonial of the promptitude and zeal with which he shall have volunteered in support of the rights and honor of the country.

SECT. 8. *And be it further enacted*, That the sum of one million of dollars be appropriated to defray the expenses which may be incurred under the provisions of this act, to be paid out of any money in the treasury, not otherwise appropriated.

[Approved, February 6, 1812.]

[\*See act of 16th April, 1814; chap. 649, post.]

CHAP. 345. [XXII.] An act for the revision of former confirmations, and for confirming certain claims to land in the district of Kaskaskia.\*

The register and receiver of the land office at Kaskaskia, and such other person as the president may appoint, authorized to inquire into the validity of claims to land in the district of Kaskaskia, derived from confirmations made by the governors of the northwest and Indiana territories, &c. and to employ a clerk, &c. report their opinion, &c.

The commissioners and clerk appointed by this act, &c. to receive 500 dollars, each, in full, &c.

The compensation, &c. to be paid out of the moneys appropriated for sur-

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the register, and receiver of public moneys, of the land office at Kaskaskia, and such other person as the president of the United States shall appoint for that purpose, be, and they are hereby, authorized to examine and inquire into the validity of claims to land in the district of Kaskaskia, which are derived from confirmations made, or pretended to have been made, by the governors of the northwest and Indiana territory, respectively. They shall employ a clerk, and shall, in relation to the claims aforesaid, have, in every respect, the same powers which had been vested in the commissioners appointed to ascertain the claims to land in the said district. And they shall report to the secretary of the treasury, to be by him laid before congress, at their next session, their opinion on each of the claims aforesaid.

SECT. 2. *And be it further enacted*, That the commissioners and clerk, appointed by this act, and such agent as may be appointed on behalf of the United States, by the secretary of the treasury, shall, each, receive five hundred dollars, in full for the services performed by them under this act; which compensation, and also the contingent charges for office rent, fuel, stationery, and summoning witnesses on the part of the United States, shall

be paid out of the moneys appropriated by law for surveying the public lands of the United States.

**SECT. 3.** *And be it further enacted,* That the decisions made by the commissioners, heretofore appointed for the purpose of examining the claims of persons to lands in the district of Kaskaskia, in favor of such claimants, to town or village lots, outlots, or rights in common, to commons and common fields, as entered in the transcripts of decisions, bearing date the thirty-first day of December, one thousand eight hundred and nine, which have been transmitted by the said commissioners to the secretary of the treasury, according to law, be confirmed to all such rightful claimants, according to their respective rights thereto: *Provided,* That nothing herein contained shall be construed to confirm any particular decision heretofore made in favor of any individual, or to affect the right of any other individual claiming the same land, but such conflicting claims shall be decided, according to law, by the proper tribunal. [*Approved, February 20, 1812.*]

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veying the public lands. The decisions made by the commissioners for examining claims to lands in the district of Kaskaskia, in favor, &c. as entered in the transcripts, &c. of 31st Dec. 1809, &c. confirmed, &c.

Proviso; nothing herein to confirm any particular decision heretofore made in favor of any individual, or to affect the right of any other claiming, &c.

**CHAP. 346. [XXIII.]** An act making an appropriation for the expenses incident to the six companies of mounted rangers, during the year one thousand eight hundred and twelve.\*

[\* Obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the sum of one hundred and eight thousand seven hundred and seventy-two dollars be, and the same is hereby appropriated for the pay, subsistence, and forage, during the year one thousand eight hundred and twelve, of the six companies of mounted rangers, to be raised for the service of the United States, pursuant to an act, entitled "An act authorizing the president of the United States to raise certain companies of rangers for the protection of the frontier of the United States;"† that is to say:

108,772 doll's. appropriated for the pay, subsistence, &c. for the year 1812, of the six companies of mounted rangers, to be raised pursuant to the act mentioned.

For the pay of the officers, noncommissioned officers, and privates, of the said companies, the sum of one hundred and four thousand eight hundred dollars.

[† Ante, chap. 334.) For the pay of the officers and privates.

For the subsistence of the officers, the sum of two thousand six hundred and twenty-eight dollars.

For the subsistence of the officers.

For forage, the sum of one thousand three hundred and forty-four dollars. The said sums to be paid out of any moneys in the treasury of the United States, not otherwise appropriated.

For forage. The sums to be paid out of unappropriated moneys in the treasury.

[*Approved, February 20, 1812.*]

**CHAP. 347. [XXIV.]** An act authorizing the secretary of the treasury to locate the lands reserved for the use of Jefferson college, in the Mississippi territory.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he is hereby, authorized and empowered to locate, in one body, the thirty-six sections of land reserved for the use of Jefferson college, in the Mississippi

The secretary of the treasury empowered to locate, in one body, the 36 sections of land reserved for the

1812.

use of Jefferson  
coll.-go. in the  
Mississippi ter-  
ritory, on any  
lands not sold,  
&c.  
[F See s.-c. 13,  
chap. 349, vol. 3.]

territory, by an act, entitled "An act regulating the grants of land, and providing for the sale of the lands of the United States south of the state of Tennessee,"\* passed on the third day of March, one thousand eight hundred and three, on any lands within the said territory, not sold, or otherwise disposed of, and to which the Indian title has been extinguished.

[Approved, February 20, 1812.]

CHAP. 348. [XXV.] An act for the more convenient taking of affidavits and bail, in civil causes depending in the courts of the United States.

The circuit court of the United States, in any district in which the present provision for taking bail and affidavits in civil causes is inadequate, or, &c. to appoint discreet persons to take acknowledgments, &c. The acknowledgments, &c. to have the same force, &c. as if taken before a judge, &c. and persons swearing falsely liable to the same punishment, &c.

The like fees allowed for taking bail, &c. as allowed by the laws of the state, &c.

In any cause before a court of the United States, the court may admit in evidence any deposition taken in perpetuum, &c. which would be admissible in a court of the state, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* it shall be lawful for the circuit court of the United States, to be holden in any district in which the present provision, by law, for taking bail and affidavits in civil causes, (in cases where such affidavits are, by law, admissible) is inadequate, or, on account of the extent of such district, inconvenient, to appoint such and so many discreet persons, in different parts of the district, as such court shall deem necessary, to take acknowledgments of bail and affidavits; which acknowledgments of bail and affidavits shall have the like force and effect as if taken before any judge of said court; and any person swearing falsely in and by any such affidavit, shall be liable to the same punishment as if the same affidavit had been made or taken before a judge of said court.

SECT. 2. *And be it further enacted, That* the like fees shall be allowed for taking such bail and affidavit as are allowed for the like services, by the laws of the state, in which any such affidavit or bail shall be taken.

SECT. 3. *And be it further enacted, That* in any cause before a court of the United States, it shall be lawful for such court, in its discretion, to admit in evidence any deposition taken in perpetuum rei memoriam, which would be so admissible in a court of the state wherein such cause is pending according to the laws thereof. [Approved, February 20, 1812.]

CHAP. 349. [XXVI.] An act making appropriations for the support of the military establishment of the United States, for the year one thousand eight hundred and twelve.†

[† Obsolete.]

Sums appropriated for defraying the expenses of the military establishment, &c. for the year 1813, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for defraying the expenses of the military establishment of the United States, for the year one thousand eight hundred and twelve, for the Indian department, and for the expense of fortifications, magazines, arsenals, and armories, the following sums, including the sum of one million five hundred thousand dollars already appropriated, by the first section of the act, entitled "An act authorizing the purchase of ordnance and ordnance stores, camp equipage, and other quartermaster's stores, and small arms,"‡ be, and the same hereby are, respectively, appropriated; that is to say:

[‡ Ante, ch. 339.]

For the pay of the army of the United States, eight hundred and sixty-nine thousand nine hundred and sixty-eight dollars. 1812.

For forage, one hundred and four thousand six hundred and twenty-four dollars. For the pay of the army.  
For forage.

For subsistence, six hundred and eighty-five thousand five hundred and thirty-two dollars and five cents. For subsistence.

For clothing, two hundred and ninety-three thousand eight hundred and four dollars. For clothing.

For bounties and premiums, seventy thousand dollars. For bounties and premiums.

For the medical and hospital department, fifty thousand dollars. For the medical and hospital department.

For ordnance and ordnance stores, one million one hundred and thirty-five thousand dollars. For ordnance and ordnance stores.

For fortifications, arsenals, magazines, and armories, including two thousand dollars for such a number of additional military storekeepers as may be required, two hundred and ninety-six thousand and forty-nine dollars and seventy-five cents. For fortifications, arsenals, &c. including, &c.

For the quartermaster general's department, including camp equipage, fuel, tools, barracks, quarters, wagons, and transportation, seven hundred and thirty-five thousand dollars. For the quartermaster general's department, &c.

For the purchase of horses for the dragoons and light artillery, one hundred and fifty thousand dollars. For the purchase of horses, &c.

For contingencies, fifty thousand dollars. For contingencies.

For purchasing maps, plans, books, and instruments, two thousand five hundred dollars. For purchasing maps, plans, &c.

For the salary of the clerks employed in the military agents' offices, and in the office of the inspector of the army, three thousand five hundred dollars. For clerks in the military agents' offices, &c.

For the Indian department, one hundred and sixty-four thousand five hundred dollars. For the Indian department.

For expenses of calling into actual service, in the years one thousand eight hundred and nine, one thousand eight hundred and ten, and one thousand eight hundred and eleven, the militia of the Louisiana and Indiana territories, and state of Kentucky, thirty-two thousand eight hundred dollars. For expenses of calling into actual service the militia of Louisiana, Indiana, and Kentucky, in 1809, 1810, and 1811.

SECT. 2. *And be it further enacted*, That the several sums, specifically appropriated by this act, shall be paid out of any moneys in the treasury, not otherwise appropriated. The sums appropriated to be paid out of unappropriated moneys in the treasury.

[*Approved, February 21, 1812.*]

CHAP. 350. [XXVII.] An act making appropriations for the support of an additional military force.\*

[\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for defraying the necessary expense, to the first day of January next, of the troops to be raised by virtue of an act, entitled "An act to raise an additional military force,"† passed on the eleventh day of January, one thousand eight hundred and twelve, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

Sums appropriated for defraying the necessary expense, to the 1st Jan. 1813, of the troops to be raised by virtue of the act mentioned.  
[† Act, ch. 337.]

1812.	For pay, one million four hundred and six thousand eight hundred and fifty-one dollars and ninety-five cents.
For pay.	For forage, one hundred and fifty-four thousand four hundred and thirty-five dollars and thirty cents.
For forage.	For subsistence, one million seventy-four thousand and ninety-seven dollars and sixty-seven cents.
For subsistence.	For clothing, eight hundred and sixty-three thousand two hundred and forty-four dollars.
For clothing.	For bounties and premiums, four hundred and forty-two thousand two hundred and sixty dollars.
For bounties and premiums.	For the purchase of horses for the dragoons, and for the purchase of horses for the transportation of heavy artillery, ammunition, and baggage, two hundred and eighty-two thousand dollars.
For the purchase of horses, &c.	For the quartermaster general's department, including harness and other equipage, quarters, fuel, tools, and transportation, four hundred and eight thousand seven hundred and sixty dollars.
For the quartermaster general's department, &c.	For the medical and hospital department, one hundred and twenty-five thousand dollars.
For the medical and hospital department.	For contingencies, three hundred and fifty-five thousand nine hundred and eleven dollars and seventeen cents.
For contingencies.	SECT. 2. <i>And be it further enacted</i> , That the several sums specifically appropriated by this act, shall be paid out of any moneys in the treasury, not otherwise appropriated.
The sums appropriated to be paid out of unappropriated moneys in the treasury.	

[Approved, February 21, 1812.]

CHAP. 351. [XXVIII.] An act for the relief of captain Selah Benton.

Selah Benton, who served as a captain, &c. in the revolutionary war, to be placed on the pension list, at the rate of 30 dols. per month.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That Selah Benton, who served as a captain in the American army in the revolutionary war, be placed on the pension list, and that there be paid to him, in the same manner that other pensions are paid, the sum of twenty dollars per month, to commence from the first day of July, one thousand eight hundred and eleven.

This act to be in force from the 21st Feb. 1812.

SECT. 2. *And be it further enacted*, That this act shall commence, and be in force, from and after the passage thereof.

[Approved, February 21, 1812.]

CHAP. 352. [XXIX.] An act to establish a land district in the Illinois territory, east of the district of Kaskaskia, and to attach certain public lands to the district of Jeffersonville.

A new land district formed of part of the public lands included within the land district of Kaskaskia, &c. and the public lands lying between the Vincennes and Kas-

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That so much of the public lands of the United States, heretofore included within the land district of Kaskaskia, as lies east of the third principal meridian established by the surveyor general, shall, together with the public lands lying between the Vincennes

and Kaskaskia districts, and not heretofore attached to any district, form a new land district. For the disposal of the said lands, a land office shall be established at Shawneetown, under the direction of a register of the land office and receiver of public moneys, to be appointed for that purpose; who shall reside at the place, give security in the same manner, in the same sums, and whose compensation, emoluments, and duties, and authority, shall, in every respect, be the same in relation to the lands which shall be disposed at their office, as are, or may be, by law, provided in relation to the registers and receivers of public moneys in the several offices established for the disposal of the lands of the United States northwest of the river Ohio.

SECT. 2. *And be it further enacted*, That the said lands shall be disposed of in the same manner, and on the same terms and conditions, as are, or may be, provided by law for the sale of public lands in the district of Kaskaskia: *Provided*, That no tracts of land excepted from the sales by virtue of any former act, shall be sold by virtue of this act: *And provided also*, That a tract of not less than six miles square shall be reserved by the president of the United States for the use and support of the public salt works on Saline creek.

SECT. 3. *And be it further enacted*, That so much of the lands attached to the district of Vincennes, by virtue of the first section of an act, entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes,"\* passed on the thirtieth day of April, one thousand eight hundred and ten, as lies east of the second principal meridian established by the surveyor general, shall be attached to, and become a part of, the district of Jeffersonville, and shall be offered at public sale at the land office for the said district, under the superintendence of the register and receiver of public moneys for the said land office, and shall be sold in every other respect in the same manner, and on the same terms and conditions, as are provided by the above-mentioned act, except that the public sales for the said lands shall remain open only for six days.

[*Approved, February 21, 1812.*]

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*Kaskaskia district, &c.*  
A land office to be established at Shawneetown, for which a register, &c. are to be appointed. The register and receiver to reside at Shawneetown, give security, &c. the same as registers and receivers in the land offices northwest of the Ohio.

The lands to be disposed of, &c. as in the district of Kaskaskia.

*Proviso; no tract excepted by former act, to be sold by virtue of this act.*  
*Proviso; the president to reserve six miles for the salt works on Saline creek.*

So much of the land attached to the district of Vincennes, &c. to be attached to the district of Jeffersonville, and be offered at public sale there, &c.  
[\*Ante, ch. 200.]

The public sales to remain open only six days.

CHAP. 353. [XXX.] An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and twelve.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for defraying the expenses of the navy, during the year one thousand eight hundred and twelve, the following sums, including therein the sum of four hundred thousand dollars already appropriated, by the act, entitled "An act authorizing the purchase of ordnance and ordnance stores, camp equipage, and other quartermaster's stores, and small arms,"‡ be, and the same hereby are, respectively, appropriated; that is to say:

Sums appropriated for defraying the expenses of the navy during the year 1812, &c.

[Ante, ch. 339.]

For the pay and subsistence of the officers, and pay of the seamen, one million one hundred and twenty-three thousand three hundred and forty-one dollars.

For the pay and subsistence of the officers and pay of seamen.



- 1812.** For provisions, five hundred and fifty-nine thousand seven hundred and fifty-seven dollars.
- For medicines, instruments, &c. For medicines, instruments, hospital stores, and all expenses on account of the sick, forty thousand dollars.
- For repairs of vessels. For repairs of vessels, three hundred and fifteen thousand dollars.
- For freight, store rent, &c. For freight, store rent, and all other contingent expenses, one hundred and fifteen thousand dollars.
- For the expenses of navy yards, &c. For the expenses of navy yards, comprising docks, and other improvements, pay of superintendents, storekeepers, clerks, and laborers, sixty thousand dollars.
- For ordnance and ordnance stores, &c. For ordnance and ordnance stores, comprising cannon, cannon-ades, muskets, pistols, and other small arms, cannon ball, and shot of every description, two hundred and eighty thousand dollars.
- For the purchase of saltpetre and sulphur, &c. For the purchase of saltpetre and sulphur, and for making the same into powder, one hundred and eighty thousand dollars.
- For pay and subsistence of the marine corps, &c. For pay and subsistence of the marine corps, including provisions for those on shore, and forage for the staff, one hundred and fifty-four thousand three hundred and forty-six dollars and eighty cents.
- For clothing for the marine corps. For clothing for the same, forty-nine thousand two hundred and eighty-one dollars and sixty cents.
- For military stores for the marine corps. For military stores for the same, one thousand seven hundred and seventy-seven dollars and fifty cents.
- For medicines, &c. on account of the marine corps. For medicines, medical services, hospital stores, and all other expenses on account of the sick belonging to the marine corps, three thousand five hundred dollars.
- For quartermaster's and barrackmaster's stores, &c. For quartermaster's and barrackmaster's stores, officer's travelling expenses, armorer's and carpenter's bills, fuel, premiums for enlisting men, musical instruments, bounty to music, and other contingent expenses of the marine corps, twenty thousand dollars.
- For the relief of the legal representatives of David Valenzin, deceased, &c. For the relief of the legal representatives of David Valenzin, deceased, being the amount of a former appropriation for that object, carried to the surplus fund, two thousand six hundred and sixty-five dollars and seventy cents.
- The sums appropriated to be paid out of unappropriated moneys in the treasury. **SECT. 2.** *And be it further enacted,* That the several sums, specifically appropriated by this act, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, February 24, 1812.]

[\* See the orig. act, ante, chap. 147: See, also, the note at the end of chap. 760, post.] When, in the opinion of the president, it is expedient to mount the light artillery, horses and accoutrements are to be provided, &c. When the num-

**CHAP. 354. [XXXI.]** An act supplementary to "An act to raise, for a limited time, an additional military force,"<sup>17</sup> passed on the twelfth day of April, one thousand eight hundred and eight.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That whenever, in the opinion of the president of the United States, it is expedient to mount the light artillery, or any part thereof, horses and accoutrements shall be provided to equip the whole, or such part as he may direct; and when the noncommissioned

officers, musicians, artificers, and privates, are so equipped, the officers shall be entitled to the same forage as is now provided for the officers of the same grade in the regiment of light dragoons: *Provided*, The officers furnish their own horses and accoutrements, and actually keep in service the same number of horses, to entitle them to the aforesaid allowance for forage, or its equivalent in money.

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commissioned officers, privates, &c. are equipped, the officers to be entitled to the same forage, &c. as in the regt. of light dragoons. *Provido*; if the officers furnish their own horses, &c. and actually keep in service the same number, &c. When the light artillery are ordered to be mounted, a saddler and a farrier to be provided to each company, with the same pay and emoluments, &c. (\* Private.)

SECT. 2. *And be it further enacted*, That whenever the said light artillery are ordered to be mounted, there shall be provided one saddler and one farrier to each company, who shall be entitled to the same pay and emoluments as are now provided for saddlers and farriers in the regiment of light dragoons.

[*Approved, February 24, 1812.*]

CHAP. 355. [XXXII.] An act for the relief of Thomas O'Bannon.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That Thomas O'Bannon be permitted to withdraw his entry on the land office of Madison county, Mississippi territory, from the southeast quarter of section two, township two, range one, west; and the money paid by him on the said entry shall be placed to his credit on any purchase he shall or may have made of public land in the same district: *Provided*, It shall satisfactorily appear to the register of the said office, that the range two, west, has been, by error of the surveyor, marked range one.

Thomas O'Bannon permitted to withdraw his entry in the land office of Madison county, from the southeast quarter of section two, &c. to be placed to his credit on any purchase, &c. *Provido*; if it appears to the register that range two, west, has been marked range one.

[*Approved, February 24, 1812.*]

CHAP. 356. [XXXIII.] An act making appropriations for the support of government, for the year one thousand eight hundred and twelve.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for the expenditure of the civil list, in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of lighthouses, beacons, buoys, and public piers; for defraying the expenses of surveying the public lands, and for satisfying certain miscellaneous claims, the following sums be, and the same are hereby, respectively, appropriated; that is to say:

Sums appropriated for the objects mentioned

For compensation granted by law to the members of the senate and house of representatives, their officers and attendants, estimated for a session of four months and a half continuance, two hundred and one thousand four hundred and twenty-five dollars.

For members of congress.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of congress, fifty thousand dollars.

For the contingent expenses of congress.

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For contingent expenses of the library, &c.

For the president and vice president.

For the secretary of state, clerks, &c.

[\* See ante, ch. 41.]

For a clerk on old records in the department of state.

For additional compensation to clerks in the department of state, not exceeding 15 per cent.  
[† Ante, ch. 41.]

For contingent expenses of the department of state.  
For printing and distributing the laws.

For printing and binding 500 copies of the census of 1810.

For the secretary of the treasury, clerks, &c.

[‡ See ante, ch. 41.]

For translating foreign languages, &c. in the office of the secretary of the treasury.

For the comptroller, clerks, &c.

[§ See ante, ch. 41.]

For contingent expenses of the comptroller's office.  
For the auditor, clerks, &c.

For all contingent expenses of the library of congress, and for the librarian's allowance, for the year one thousand eight hundred and twelve, eight hundred dollars.

For compensation to the president and vice president of the United States, thirty thousand dollars.

For compensation to the secretary of state, clerks, and persons employed in that department, including the sum of one thousand four hundred and seventy-eight dollars, in addition to the sum allowed for the compensation of his clerks by the act of the twenty-first of April, one thousand eight hundred and six,\* twelve thousand nine hundred and thirteen dollars.

For compensation to a clerk on old records, in the said department, for the year eighteen hundred and eleven, and the year eighteen hundred and twelve, fifteen hundred and seventy-four dollars.

For additional compensation to the clerks in the said department, not exceeding fifteen per centum, in addition to the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"† one thousand seventy-two dollars and fifty cents.

For the incidental and contingent expenses of the said department, one thousand three hundred and fifty dollars.

For printing and distributing the laws of the first session of the twelfth congress, and printing the laws in newspapers, five thousand five hundred dollars.

For printing and binding five hundred copies of the census of one thousand eight hundred and ten, four thousand six hundred dollars.

For compensation to the secretary of the treasury, clerks, and persons employed in his office, including the sum of one thousand seven hundred and fifty dollars for clerk hire, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,‡ and the further sum of seven hundred and fifty dollars, to make good a deficiency in the appropriation of the year one thousand eight hundred and eleven, seventeen thousand and seventy-four dollars and eighty-one cents.

For expense of translating foreign languages, allowance to the person employed in transmitting passports and sealetters, and for stationery and printing, in the office of the secretary of the treasury, one thousand dollars.

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, including the sum of one thousand six hundred and thirty-nine dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,§ thirteen thousand nine hundred and seventy-eight dollars and fifty cents.

For expense of stationery, printing, and incidental and contingent expenses of the comptroller's office, five hundred dollars.

For compensation to the auditor of the treasury, clerks, and persons employed in his office, eleven thousand seven hundred and seventy-one dollars.

For expense of stationery, printing, and incidental and contingent expenses of the auditor's office, five hundred dollars.	1812.
For compensation to the treasurer, clerks, and persons employed in his office, five thousand seven hundred and seventy-seven dollars and forty-five cents.	For contingent expenses of the auditor's office. For the treasurer, clerks, &c.
For expense of stationery, printing, and incidental and contingent expenses in the treasurer's office, three hundred dollars.	For contingent expenses in the treasurer's office.
For compensation to the register of the treasury, clerks, and persons employed in his office, fifteen thousand seven hundred and fifty-two dollars and two cents.	For the register, clerks, &c.
For additional compensation to the clerks in the treasury department, not exceeding fifteen per centum, in addition to the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"* six thousand six hundred and thirty-four dollars and seven cents.	For additional compensation to the clerks in the treasury department, not exceeding 15 per cent. [* Ante, ch. 41.]
For compensation to the messenger of the register's office for stamping and arranging ships' registers, ninety dollars.	For stamping and arranging ships' registers.
For expense of stationery, printing, and all other incidental and contingent expenses in the register's office, including books for the public stocks, and for the arrangement of the marine records, two thousand eight hundred dollars.	For contingent expenses in the register's office.
For fuel, and other contingent and incidental expenses of the treasury department, four thousand dollars.	For fuel, &c. for the treasury department.
For the purchase of books, maps, and charts, for the use of the treasury department, four hundred dollars.	For the purchase of books, maps, &c. for the treasury department.
For compensation to a superintendent, employed to secure the buildings and records of the treasury department, during the year one thousand eight hundred and twelve, including the expense of two watchmen, the repairs of two fire engines, buckets, lanterns, and other incidental and contingent expenses, one thousand one hundred dollars.	For a superintendent employed to secure the buildings and records of the treasury department, watchmen, &c.
For defraying the expense of stating and printing the public accounts, for the year one thousand eight hundred and twelve, twelve hundred dollars.	For stating and printing the public accounts.
For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.	For the secretary of the commissioners of the sinking fund.
For compensation to the secretary of war, clerks, and persons employed in his office, including the sum of one thousand two hundred dollars, for clerk hire, in addition to the sum allowed by the act of April twenty-first, one thousand eight hundred and six,† eleven thousand three hundred and twenty-five dollars.	For the secretary of war, clerks, &c. [† See ante, ch. 41.]
For expense of fuel, stationery, printing, and other contingent expenses in the office of the secretary of war, one thousand dollars.	For contingent expenses in the office of the secretary of war.
For compensation to the accountant of the war department, clerks, and persons employed in his office, including the sum of two thousand dollars for clerk hire, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,‡ twelve thousand six hundred and ten dollars.	For the accountant of the war department, clerks, &c. [‡ See ante, ch. 41.]
For additional compensation to the clerks in the war department, not exceeding fifteen per centum, in addition to the sum	For additional compensation to the clerks in the

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war department,  
not exceeding 15  
per cent.  
[\* Ante, ch. 41.]

For contingent  
expenses in the  
accountant's  
office.  
For clerks em-  
ployed in the  
paymaster's  
office.

For contingent  
expenses in the  
same.  
For the purveyor  
of, clerks, &c.

[† See ante, ch.  
41.]  
For the secreta-  
ry of the navy,  
clerks, &c.

For contingent  
expenses in the  
secretary of the  
navy's office.  
For the account-  
ant of the navy,  
clerks, &c.

For contingent  
expenses in the  
accountant's of-  
fice.  
For additional  
compensation to  
the clerks in the  
navy depart-  
ment.

[‡ Ante, ch. 41.]

For the postmas-  
ter general, as-  
sistant postmas-  
ter general,  
clerks, &c.

[§ See ante, ch.  
41.]

For fuel, &c. for  
the general post  
office.

For additional  
compensation to  
the clerks em-  
ployed in the  
postmaster gen-  
eral's office,  
not exceed-  
ing 15 per cen-  
t. [¶ Ante, ch. 41.]

For the several  
loan officers.

allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"\* two thousand two hundred and twenty-six dollars.

For contingent expenses in the office of the accountant of the war department, one thousand dollars.

For compensation to the clerks employed in the paymaster's office, including the sum of three hundred and twelve dollars for deficiency in the appropriation of the year one thousand eight hundred and eleven, and a further sum of one thousand two hundred dollars, in addition to the sum heretofore appropriated for that object, four thousand nine hundred and twelve dollars.†

For contingent expenses in the said office, two hundred dollars.

For compensation to the purveyor of public supplies, clerks, and persons employed in his office, and for expense of stationery, store rent, and fuel, for said office, including the sum of five hundred dollars for compensation to clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,‡ five thousand one hundred dollars.

For compensation to the secretary of the navy, clerks, and persons employed in his office, eight thousand six hundred and eighty-five dollars.

For expenses of stationery, fuel, printing, and other contingent expenses in the said office, two thousand dollars.

For compensation to the accountant of the navy, clerks, and persons employed in his office, ten thousand one hundred and ten dollars.

For contingent expenses in the office of the accountant of the navy, one thousand dollars.

For additional compensation to the clerks in the navy department, not exceeding fifteen per centum, in addition to the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"‡ one thousand nine hundred and thirty-five dollars.

For compensation to the postmaster general, assistant postmaster general, clerks, and persons employed in the postmaster general's office, including the sum of two thousand seven hundred and forty-five dollars, for compensation to clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,§ seventeen thousand nine hundred and seventy-five dollars.

For the expense of fuel, house rent for the messenger, candles, stationery, chests, &c. incident to the postmaster general's office, two thousand five hundred dollars.

For additional compensation to the clerks employed in the postmaster general's office, not exceeding fifteen per centum, in addition to the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"|| one thousand four hundred and one dollars and seventy-five cents.

For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars.

For compensation to the clerks of the commissioners of loans, 1812.  
and for allowances to certain loan officers in lieu of clerk hire,  
and to defray the authorized expense of the several loan offices,  
fifteen thousand dollars. For the clerks of the commissioners of loans, &c.

For compensation to the surveyor general and his clerks, three thousand two hundred dollars. For the surveyor general and clerks.

For compensation to the surveyor of the lands south of Tennessee, clerks employed in his office, and for stationery, and other contingencies, including the sum of fifteen hundred dollars for clerk hire, in addition to the sums heretofore appropriated for that object, four thousand seven hundred dollars. For the surveyor of the lands south of Tennessee, clerks, &c.

For compensation to the officers of the mint, viz:

The director, two thousand dollars:

The treasurer, one thousand two hundred dollars:

The assayer, one thousand five hundred dollars:

The chief coiner, one thousand five hundred dollars:

The melter and refiner, one thousand five hundred dollars:

The engraver, one thousand two hundred dollars:

One clerk at seven hundred dollars, and one clerk at five hundred dollars. For the officers of the mint:  
Director.  
Treasurer.  
Assayer.  
Chief coiner.  
Melter and refiner.  
Engraver.  
Clerks.

For wages to the persons employed in melting, coining, carpenter's, millwright's, and smith's work, including the sum of one thousand dollars allowed to an assistant coiner and die forger, who also oversees the execution of the iron work, and of six hundred dollars allowed to an assistant engraver, eight thousand five hundred dollars. For the wages of persons employed in the mint.

For repairs of furnaces, cost of rollers and screws, timber, bar iron, lead, steel, potash, and for all other contingencies of the mint, three thousand three hundred and fifty dollars. For contingencies of the mint establishment.

For an allowance for wastage in the gold and silver coinage, three thousand dollars. For an allowance for wastage, &c.

For compensation to the governor, judges, and secretary, of the territory of Orleans, thirteen thousand dollars. For the governor, judges, &c. of the territory of Orleans.

For clerk hire, expense of stationery, and other contingent expenses of said territory, one thousand eight hundred and fifty dollars. For contingent territorial expenses.

For compensation to the governor, judges, and secretary, of the Mississippi territory, including the sum of six hundred dollars for clerk hire, in the year one thousand eight hundred and eleven, nine thousand six hundred dollars. For the governor, judges, &c. of the Mississippi territory.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars. For contingent territorial expenses.

For compensation to the governor, judges, and secretary, of the Indiana territory, six thousand six hundred dollars. For the governor, judges, &c. of the Indiana territory.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars. For contingent territorial expenses.

For compensation to the governor, judges, and secretary, of the Michigan territory, six thousand six hundred dollars. For the governor, judges, &c. of the Michigan territory.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars. For contingent territorial expenses.

For compensation to the governor, judges, and secretary, of the Louisiana territory, six thousand six hundred dollars. For the governor, judges, &c. of the Louisiana territory.

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For contingent territorial expenses.  
For the governor, judges, &c. of the Illinois territory.  
For contingent territorial expenses.  
For demands not otherwise provided for, admitted at the treasury, &c.

For the judges, and the attorney general, &c.

[\* Ante, ch. 317.]

For district attorneys.

For the compensation to the several marshals of Maine, &c.

For the expenses of courts, jurors, and witnesses, in aid of the funds arising from fines, &c.

For the payment of a balance due for the salary of Robert H. Harrison, deceased, &c.

For the payment of sundry pensions, &c.  
For the annual allowance to the invalid pensioners.

For the support of lighthouses, beacons, buoys, &c.

For surveying the public land, &c.

For surveying the coast of the United States.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretaries of the Illinois territory, six thousand six hundred dollars.

For expense of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, two thousand dollars.

For compensation granted by law to the chief justice, the associate judges, and district judges, of the United States, including the chief justice and two associate judges for the district of Columbia, to the attorney general, and to the district judge of the territory of Orleans, including the sum of one thousand dollars for the payment of the additional salaries for the year one thousand eight hundred and eleven, allowed to the judges of the district of Columbia, by the act of the third of March, one thousand eight hundred and eleven,\* sixty thousand nine hundred and fifty dollars.

For the like compensation granted to the several district attorneys of the United States, three thousand four hundred dollars.

For compensation granted to the several marshals for the districts of Maine, New Hampshire, Vermont, New Jersey, North Carolina, Kentucky, Ohio, East and West Tennessee, and Orleans, two thousand two hundred dollars.

For defraying the expenses of the supreme, circuit, and district, courts of the United States, including the district of Columbia, and of jurors, and witnesses, in aid of the funds arising from fines, forfeitures, and penalties, and for defraying the expenses of prosecutions for offences against the United States, and for the safe keeping of prisoners, forty thousand dollars.

For the payment of a balance due for the salary of Robert H. Harrison, deceased, formerly a judge of the supreme court of the United States, the same having heretofore been carried to the surplus fund, five hundred and fifty-six dollars and sixteen cents.

For the payment of sundry pensions granted by the late and present government, nine hundred and sixty dollars.

For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March, one thousand eight hundred and twelve, to the fourth of March, one thousand eight hundred and thirteen, ninety-eight thousand dollars.

For the maintenance and support of lighthouses, beacons, buoys, and public piers, stakeages of channels, bars, and shoals, and certain contingent expenses, ninety-three thousand one hundred dollars and sixty-seven cents.

For defraying the expense of surveying the public land within the several territories of the United States, forty-eight thousand six hundred and twenty dollars.

For surveying the coast of the United States, being the balance of a former appropriation, carried to the credit of the sur-

the fund, ~~forty~~ <sup>thirty</sup> thousand two hundred and eighty-four 1812.  
dollars and twenty-five cents.

For expenses of intercourse with foreign nations, seventy-three thousand dollars.

For foreign intercourse.

For the contingent expenses of intercourse with foreign nations, one hundred thousand dollars.

For contingent expenses of foreign intercourse.

For expenses of intercourse with the Barbary powers, fifty thousand dollars.

For intercourse with the Barbary powers.

For the relief and protection of distressed American seamen, fifteen thousand dollars.

For the relief, &c. of American seamen.

For defraying the expenses of regulating, laying out, and making, a road from Cumberland, in the state of Maryland, to Ohio, agreeably to an act of congress, passed the twenty-ninth day of March, one thousand eight hundred and six,\* being so much of a former appropriation, carried to the surplus fund, at the close of the year one thousand eight hundred and eleven, three thousand seven hundred and eighty-six dollars and sixty cents.

For the expenses of regulating, laying out, &c. a road from Cumberland to Ohio, &c.  
[\* See ante, chap. 19.]

For expenses of prosecuting claims and appeals in the courts of Great Britain, in relation to captures of American vessels, and defending causes elsewhere, four thousand dollars.

For prosecuting claims and appeals in the courts of Great Britain, in relation to captures, &c.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, four thousand dollars.

For the discharge of miscellaneous claims, &c. admitted at the treasury.

For defraying the expenses authorized by the eleventh section of the act of March the second, eighteen hundred and eleven, entitled "An act for establishing trading houses with the Indian tribes,"† to be drawn, annually, by the president of the United States, for the payment of agents, assistant agents, and clerks, including the sum of eleven thousand sixty-two dollars and fifty cents, which had accrued, by said act, for the year eighteen hundred and eleven, twenty-five thousand eight hundred and twelve dollars and seventy-six cents.

For defraying the expenses authorized by the 11th sec. of the act for establishing trading houses with the Indian tribes, &c.  
[† Ante, ch. 307.]

SECT. 2. *And be it further enacted,* That the several appropriations hereinbefore made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by an act making provision for the debt of the United States,‡ and out of any moneys in the treasury, not otherwise appropriated.

The preceding appropriations to be paid out of the fund reserved, &c.

[‡ See chap. 61, vol. 2.]

[Approved, February 26, 1812.]

CHAP. 357. [XXXIV.] An act to authorize the secretary of the treasury, under the direction of the president of the United States, to purchase of Winslow Lewis his patent right to the new and improved method of lighting lighthouses, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he is hereby, authorized and empowered, under the directions of the president of the United States, to purchase of Winslow Lewis his patent right to

The secretary of the treasury empowered to purchase of Winslow Lewis his



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patent right to the plan of lighting lighthouses, by reflecting and magnifying lanterns, &c.

Provided, the sum allowed not to exceed, annually, the appropriation for supplying the lighthouse establishment with oil, &c. and Lewis to fit up, &c. all the lighthouses, &c. on the new and improved plan, and to furnish, and deliver over, &c. warranting, &c.

Not exceeding 60 000 dolls. appropriated for carrying this act into effect.

the plan of lighting lighthouses, by reflecting and magnifying lanterns, if the same shall be proved to be a discovery made by him; and to contract with the said Winslow Lewis for fitting up and keeping in repair, any or all the lighthouses in the United States, or the territories thereof, upon the new and improved plan of the reflecting and magnifying lanterns; or to contract with the said Winslow Lewis for such sum as he may think for the interest of the United States: *Provided*, The sum so to be allowed shall not, in any case, annually exceed the appropriation made for supplying the lighthouse establishment with oil, in any given year, which has passed for a term not exceeding seven years, the said Lewis covenanting, with sufficient sureties, to fit up and keep in repair all the lighthouses in the United States, or territories thereof, on the new and improved plan of lighting lighthouses by reflecting and magnifying lanterns; and the same to furnish and keep in repair for a term of years not less than seven, at the sole expense of the said Winslow Lewis, and to deliver over, at the expiration of the term aforesaid, all the lighthouses fitted up according to the new and improved plan, to the United States, in good repair, he, the said Winslow Lewis, warranting the same to remain in good repair for seven years more, from and after the expiration of the said contract.

SECT. 2. *And be it further enacted*, That a sum, not exceeding sixty thousand dollars, be, and the same is hereby, appropriated, out of any moneys in the treasury, not otherwise appropriated, to carry this law into effect. [*Approved, March 2, 1812.*]

[\* Obsolete. See orig. act, of 28th April, 1810; ante, chap. 259.] The postmaster general authorized to repair and finish, for the accommodation of the post office department and the patent office, the first and second stories of the building purchased by authority of the act referred to, &c. upon the principles stated in the postmaster general's report. [† See ante, ch. 259.]

The general post office and the city post office to be removed to the building, as soon as, &c. 13,247 dolls. 61 cts. including, &c. appropriated for completing the work on the building, &c.

CHAP. 358. [XXXV.] An act supplementary to "An act providing for the accommodation of the general post office and patent office, and for other purposes."

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the postmaster general, under the direction of the president of the United States, be authorized to repair and finish, in a suitable manner for the accommodation of the post office department and the patent office, the two stories of the building purchased for the government, by authority of the aforesaid act, † being the first and second stories, including also sundry repairs on the outside, and in the garret, of said building, upon the principles stated in the report of the postmaster general, dated January fifteenth, one thousand eight hundred and twelve.

SECT. 2. *And be it further enacted*, That, as soon as the repairs can be properly made, and before the commencement of the next annual session of congress, the general post office, and the city post office, shall be removed to said public building.

SECT. 3. *And be it further enacted*, That, for the purpose of completing the aforesaid work, there be appropriated, from any moneys in the treasury, not otherwise appropriated, the sum of thirteen thousand two hundred and forty-seven dollars and sixty-one cents, including the sum of two thousand three hundred dollars, now in the treasury, and also the sum of one thousand

three hundred and ninety-three dollars and seventy cents, now in the hands of Thomas Munroe, superintendent of the city of Washington, being unexpended balances of the sum of twenty thousand dollars, authorized by the act of April twenty-eighth, one thousand eight hundred and ten,\* to which this act is a supplement. [Approved, March 7, 1812.]

\* See ante, sec. 3, ch. 259.]

CHAP. 359. [XXXVI.] An act for the relief of the board of commissioners west of Pearl river.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the proper accounting officers at the treasury be, and they are hereby, directed to audit and settle the accounts of the board of commissioners west of Pearl river, in the Mississippi territory, and to allow each of them the sum of six dollars per day for every day's actual attendance on the board, subsequent to the first day of April, one thousand eight hundred and six, except for the eighty-four days already provided for.*

The proper accounting officers at the treasury directed to audit and settle the accounts of the board of commissioners west of Pearl river, and allow each of them 6 dolls. per day, &c. except, &c.

[Approved, March 10, 1812.]

CHAP. 360. [XXXVII.] An act making a further appropriation for the defence of our maritime frontier.‡

[‡ Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the sum of five hundred thousand dollars be, and the same is hereby, appropriated, in addition to the sums already appropriated, for the purposes of fortifying and defending the maritime frontier of the United States; and that the same be paid out of any moneys in the treasury, not otherwise appropriated.*

500,000 dolls. in addition, &c. appropriated for fortifying and defending the maritime frontier, &c.

[Approved, March 10, 1812.]

CHAP. 361. [XXXVIII.] An act giving further time for registering claims to land in the western district of the territory of Orleans §

[§ See act of 27th Feb. 1813; chap. 503, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That every person or persons claiming lands in the western district of the territory of Orleans, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the register of the land office for the said district, shall be allowed until the first day of November next to deliver notices in writing, and the written evidences of their claims, to the register of the land office at Opelousas; and the notices and evidences, so delivered within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing, within the time limited by this act,*

Persons claiming lands in the western district of Orleans, being actual settlers, whose claims have not been filed, &c. allow, until the 1st Nov. 1819, to deliver notices, &c. to the register at Opelousas. The notices and evidences, &c. to be recorded as if delivered before the 1st July, 1808.

The rights of persons neglecting to deliver

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polices, &c. to become void, so far, &c.

[\* See ante, sec. 4, ch. 91.]

The register and receiver at Opelousas to have the same powers and perform the same duties, &c. as if notice had been given before the 1st July, 1806, except, &c. The register and receiver to report to the secretary of the treasury the claims filed, with the substance of the evidence, and their opinion, &c.

The report, with a list of the claims, &c. to be laid before congress, &c.

The register and receiver empowered to appoint a clerk; his duties, &c.

The register, receiver, and clerk, each, to be allowed 50 cents for each claim filed, &c. in full, &c.

shall, as far as they are derived from, or founded on, any act of congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of the United States against any grant derived from the United States.\*

SECT. 2. *And be it further enacted*, That the register and receiver of public moneys of the said land office at Opelousas, shall have the same powers, and perform the same duties, in relation to the claims thus filed before the first day of November next, as if notice of the same had been given before the first day of July, one thousand eight hundred and eight, except that their decisions shall be subject to the revision of congress. And it shall be the duty of the said register and receiver to make, to the secretary of the treasury, a report of all the claims thus filed with the register of the land office, together with the substance of the evidence in support thereof, with their opinion, and such remarks thereon as they may think proper; which report, together with a list of the claims which, in the opinion of the register and receiver, ought to be confirmed, shall be laid by the secretary of the treasury before congress, at their next session, for their determination thereon. The said register and receiver shall have power to appoint a clerk, whose duty shall be the same, in relation to the claims filed as aforesaid, as was required of the clerk to the board of commissioners for adjusting claims to land in the said district; and the said register, receiver, and clerk, shall, each, be allowed fifty cents for each claim filed according to this act, and on which a decision shall be made, whether such decision be in favor of, or against, the claim; which allowance of fifty cents shall be in full compensation for their services under this act. [Approved, March 10, 1812.]

CHAP. 362. [XXXIX.] An act to alter the time of holding the circuit courts of the United States at Knoxville, in the district of East Tennessee, in the state of Tennessee.

So much of the 1st sec. of the act mentioned as provides that the sessions of the circuit courts shall be held at Knoxville on the third Monday of Oct. annually, repealed. [† Ante, ch. 142.]

After the 10th March, 1812, the circuit courts to be held at Knoxville, on the second Monday in October, annually, &c. Actions, causes, &c. continued, and to be proceeded on, accordingly.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That so much of the first section of an act, entitled "An act to amend an act, entitled an act establishing circuit courts, and abridging the jurisdiction of the district courts of the districts of Kentucky, Tennessee, and Ohio,"† passed on the twenty-second day of March, eighteen hundred and eight, as provides that the sessions of the said circuit courts shall be held at Knoxville, in East Tennessee, on the third Monday of October annually, shall be, and is hereby, repealed; and, from and after the passing of this act, the said circuit courts shall be held at Knoxville, in the district of East Tennessee, on the second Monday in October, annually, and continue until all the business therein depending be disposed of; and that all actions, causes, pleas, processes, and other proceedings, relative to any cause, civil or criminal, which shall be returnable to, or depending in, the said circuit court of the United States, to be held at Knoxville on the third Monday of Oc-

number next, shall be returned, and held continued to, and be proceeded upon, on the second Monday in October next, in the same manner they would have been if this change had not been made. [Approved, March 10, 1812.]

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CHAP. 363. [XL.] An act respecting the enrolling and licensing of steam boats.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the passing of this act, a steam boat employed, or intended to be employed, only in a river or bay of the United States, owned wholly or in part by an alien, resident within the United States, may and shall be enrolled and licensed, as if the same belonged to a citizen of the United States, according to, and subject to, all the conditions, limitations, and provisions, contained in the act, entitled "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same,"\* except that, in such case, no oath or affirmation shall be required that the said boat belongs to a citizen or citizens of the United States.

After the 15th March, 1812, a steam boat, employ'd, &c. only in a river of the United States, &c. owned wholly or in part by an alien, resident, &c. may be enrolled and licensed as if it belonged to a citizen, &c. except that no oath or affirmation that the boat belongs to a citizen is to be required. [\*Ch. 12, vol. 1.]

SECT. 2. *And be it further enacted,* That the owner or owners of such steam boat, upon application for enrolment or license, shall give bond to the collector of the district, to and for the use of the United States, in the penalty of one thousand dollars, with sufficient surety, conditioned that the said boat shall not be employed in other waters than the rivers and bays of the United States. [Approved, March 12, 1812.]

The owners of such steam boat, upon application for enrolment, &c. to give bond, &c. that the boat shall not be employed in other waters, &c.

CHAP. 364. [XLI.] An act authorizing a loan for a sum not exceeding eleven million of dollars.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to borrow, on the credit of the United States, a sum not exceeding eleven millions of dollars, at an interest not exceeding six per centum per annum, payable quarter yearly, to be applied, in addition to the moneys now in the treasury, or which may be received from other sources, to defray any of the expenses which have been, or may, during the present session of congress, be authorized by law, and for which appropriations have been, or may, during the present session of congress, be made by law: *Provided,* That no engagement nor contract shall be entered into, which shall preclude the United States from reimbursing any sum or sums thus borrowed, at any time after the expiration of twelve years, from the first day of January next.

[† See supplementary act, of 6th July, 1812; chap. 460, post.]

The president authorized to borrow, on the credit of the United States, not exceeding 11,000,000 dollars, at an int. not exceeding 6 per cent. per ann. &c. to defray any of the expenses authorized by law during the present session of congress, &c.

SECT. 2. *And be it further enacted,* That the president of the United States be, and he is hereby, authorized to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed

*Provided,* the United States not to be precluded from reimbursing any sum borrowed after the 1st Jan. 1825. The president to cause certificates of stock to be constituted, &c. to be transferable, &c.

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It is a good execution of the power to borrow to cause the certificates of stock to be sold, &c. *Provido*; stock not to be sold under par.

So much of the annual appropriation of \$1,000,000 dollars, for the payment of the public debt, as may be wanted, &c. pledged and appropriated to pay the interest and reimburse the principal of the stock created by this act; and the commissioners of the sinking fund to cause the sums that may be wanted to be applied accordingly, &c.

The faith of the United States pledged to establish sufficient revenues for making up any deficiency, &c.

Any of the banks in the district of Columbia may lend any part of the sum authorized to be borrowed, &c.

by virtue of this act, or for any part thereof, bearing an interest of six per centum, and reimburseable as aforesaid; which stock, thus created, shall be transferable in the same manner as is provided by law for the transfer of the existing public debt of the United States: and it is hereby further declared, that it shall be deemed a good execution of the said power to borrow, for the president of the United States to cause the said certificates of stock, or any part thereof, to be sold: *Provided*, That no such stock shall be sold under par.

SECT. 3. *And be it further enacted*, That so much of the funds constituting the annual appropriation of eight millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest, and such part of the principal, of the said debt as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal, of the stock which may be created by virtue of this act; it shall, accordingly, be the duty of the commissioners of the sinking fund, to cause to be applied and paid out of the said fund, yearly, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal as the same shall become due, and may be discharged in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sum or sums out of the said fund as they may think proper, towards redeeming by purchase, and at a price not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them, in manner aforesaid.

SECT. 4. *And be it further enacted*, That it shall be lawful for any of the banks in the district of Columbia to lend any part of the sum authorized to be borrowed by virtue of this act, any thing in any of their charters of incorporation to the contrary notwithstanding. [Approved, March 14, 1812.]

[\* See the note at the end of ch. 760, post; and see the orig. act, of th. 11th Jan. 1812; ante, ch. 337.]

The noncommissioned officers, privates, &c. of the light dragoons to receive the same uniform clothing as provided for the artillery and infantry, except, &c.

The noncommissioned officers, privates, &c. of the light

CHAP. 365. [XLII.] An act supplementary to "An act to raise an additional military force."

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the noncommissioned officers, musicians, and privates, of the light dragoons, shall receive the same uniform clothing as is now provided by law for the artillery and infantry, excepting one pair of gaiters and four pairs of shoes, in lieu of which each person shall be annually entitled to receive one pair of boots and two pair of shoes.

SECT. 2. *And be it further enacted*, That the noncommissioned officers, musicians, and privates, of the regiment of light artillery

ry, shall receive the same clothing as the light dragoons, when ordered to be mounted. 1812.

SECT. 3. *And be it further enacted*, That all the officers, excepting general officers, who may be appointed during the present session of congress, under the "Act to raise an additional military force,"\* shall take rank in such manner as the president of the United States shall direct, without regard to priority of appointment. [Approved, March 17, 1812.]

artillery, to receive the same clothing as the light dragoons, when, &c.  
All officers, except general officers, appointed under the act mentioned, to take rank as the president directs. &c.  
[\* Ante, ch. 337.]

CHAP. 366. [XLI.] An act repealing the tenth section of the act to incorporate the subscribers to the bank of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the tenth section of the act, entitled "An act to incorporate the subscribers to the bank of the United States,"† shall be, and the same is hereby, repealed. [Approved, March 19, 1812.]

The 10th section of the act to incorporate the subscribers to the bank of the United States, repealed.  
[† Ch. 84, vol. 2.]

CHAP. 367. [XLIV.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 637, post.

CHAP. 368. [XLV.] An act to alter the times of holding the circuit courts of the first district.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in lieu of the terms now established by law, the circuit court of the first circuit shall annually be holden as follows: At Portsmouth, on the first day of May, and at Exeter, on the first day of October, within and for the district of New Hampshire; at Newport, on the fifteenth day of June, and at Providence, on the fifteenth day of November, within and for the district of Rhode Island; and at Boston, on the fifteenth day of May, and the fifteenth day of October, within and for the district of Massachusetts. And whenever any of the said days shall happen on a Sunday, then the said court, hereby directed to be holden on said day, shall be holden on the next day thereafter.

The circuit court of the first circuit to be holden annually as specified, in lieu, &c.

SECT. 2. *And be it further enacted*, That all actions, suits, writs, processes, and other proceedings, which now are pending in said court; or which now are, or may hereafter be, commenced for, or be returnable to, the said court, at the proper term thereof, now established by law, within and for the respective districts aforesaid, shall depend, have day, be returnable to, heard, tried, and determined, in the said court, at the first term thereof, which shall hereafter be holden within and for the respective districts aforesaid, according to the provisions of this act, any thing in any former act or acts to the contrary notwithstanding.†

When any of the days specified happen on a Sunday, the court to be held the next day. Actions, suits, writs, &c. returnable, and to be tried, &c. accordingly.

[Approved, March 26, 1812.]

[† See chap. 375, vol. 2.]

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CHAP. 369. [XLVI.] An act to establish a quartermaster's department, and for other purposes.\*

[\* See the note at the end of chap. 760, post. See, also, amendatory act, of 23d May, 1814; chap. 419, post.] A quartermaster's department established, to consist of a quartermaster general, deputies, assistants, &c. The quartermaster general and deputies to be appointed by the president and senate, the assistants by the president alone. The president may appoint not exceeding four deputy quartermasters, from the line or not, &c. The quartermaster general entitled to the rank, pay, &c. of a brigadier general, &c. [† See ante, chap. 147.] Pay, &c. of deputy quartermasters.

Pay, &c. of the assistants.

The quartermaster general, his deputies, &c. when directed, &c. to purchase military stores, &c.

The quartermaster general to account as often as required, and, at least, once in three months, &c.

A commissary general of purchases, deputies, &c. to be appointed by the president and senate.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That there be, and hereby is, established a quartermaster's department for the army of the United States, to consist of a quartermaster general, four deputy quartermasters, and as many assistant deputy quartermasters as, in the opinion of the president of the United States, the public service may require; the quartermaster general, and deputy quartermasters, to be appointed by the president, by and with the advice and consent of the senate; and the assistant deputy quartermasters by the president alone. And he hereby is authorized moreover to appoint such additional number of deputy quartermasters, not exceeding four, to be taken from the line or not, at his discretion, as in his judgment the public service may require.

SECT. 2. *And be it further enacted,* That the quartermaster general shall be entitled to the rank, pay, and emoluments, of a brigadier general, (under the act of the twelfth of April, one thousand eight hundred and eight,†) with forage for two additional horses; the deputy quartermasters, when not taken from the line, shall be entitled to receive sixty dollars per month, five rations per day, and forage for two horses; but if taken from the line, then such additional pay and emoluments as shall be equal to the foregoing provision; the assistant deputy quartermasters, when not taken from the line, shall be entitled to and receive forty dollars per month, three rations per day, and forage for one horse; but if taken from the line, then such additional pay and emoluments as shall be equal to the foregoing provision.

SECT. 3. *And be it further enacted,* That, in addition to their duties in the field, it shall be the duty of the quartermaster general, his deputies, and assistant deputies, when thereto directed by the secretary of war, to purchase military stores, camp equipage, and other articles, requisite for the troops, and, generally, to procure and provide means of transport for the army, its stores, artillery, and camp equipage. That the quartermaster general shall account as often as may be required, and, at least, once in three months, with the department of war, in such manner as shall be prescribed, for all property which may pass through his hands, or the hands of the subordinate officers in his department, or that may be in his or their care or possession, and for all moneys which he or they may expend in discharging their respective duties; that he shall be responsible for the regularity and correctness of all returns in his department, and that he, his deputies, and assistant deputies, before they enter on the execution of their respective offices, shall severally take an oath *faithfully to perform the duties thereof.*

SECT. 4. *And be it further enacted,* That there shall be a commissary general of purchases, and as many deputy commissaries, as, in the opinion of the president of the United States, the public service may require, to be appointed by the president, by and with the advice and consent of the senate,

**SECT. 5.** *And be it further enacted,* That it shall be the duty of the commissary general of purchases, under the direction and supervision of the secretary of war, to conduct the procuring and providing of all arms, military stores, clothing, and, generally, all articles of supply requisite for the military service of the United States; and it shall be the duty of the deputy commissaries, when directed thereto, either by the secretary of war, the commissary general of purchases, or, in cases of necessity, by the commanding general, quartermaster general, or deputy quartermasters, to purchase all such of the aforesaid articles as may be requisite for the military service of the United States.

**SECT. 6.** *And be it further enacted,* That neither the quartermaster general, nor the commissary general, shall, directly or indirectly, be concerned or interested in carrying on the business of trade or commerce, or be owner, in whole or in part, of any sea vessel; nor shall either of them purchase, by himself, or another in trust for him, public lands, or any other public property, or be concerned in the purchase or disposal of any public securities of any state, or of the United States, or take, or apply to his own use, any emolument or gain, for negotiating or transacting any business in the said department, other than what shall be allowed by law; and if either the said quartermaster general, or commissary general, shall offend against any of the prohibitions of this act, the parties so offending shall, upon conviction, forfeit to the United States the penalty of three thousand dollars, and may be imprisoned for a term not exceeding five years, and shall be removed from office, and be forever thereafter incapable of holding any office under the United States.\*

**SECT. 7.** *And be it further enacted,* That the salary of the commissary general of purchases shall be three thousand dollars per annum; and the compensation to a deputy commissary shall not exceed two and one-half per centum on the public moneys disbursed by him, nor, in any instance, the sum of two thousand dollars per annum.

**SECT. 8.** *And be it further enacted,* That the commissary general of purchases shall, before he enters upon his duties, give bond, with sufficient surety, to be approved of by the secretary of war, in the sum of fifty thousand dollars, and the deputy commissaries, each, in the sum of ten thousand dollars, with condition for the faithful performance of the duties of their office, respectively; which bonds shall be lodged with the comptroller of the treasury.

**SECT. 9.** *And be it further enacted,* That, from and after the last day of May next, so much of the act, entitled "An act to establish the office of purveyor of public supplies,"\* as relates to the appointment and services of a purveyor of public supplies, be, and the same is hereby, repealed; and, in the mean time, the purveyor shall deliver over to the commissary general, or one of his deputies, the public stores and property of all sorts in his possession, who shall receipt to him for the same.

**SECT. 10.** *And be it further enacted,* That all letters and packets, to and from the quartermaster general, and commissary general, shall be free from postage.

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The commissary general of purchases, under the direction of the secretary of war, to conduct the procuring of arms, &c. Deputy commissaries, when directed, &c. to purchase articles requisite for the military service.

Neither the quartermaster general nor the commissary general to be concerned in commerce, nor in the purchasing public lands, nor take any emolument not allowed by law, &c. under the penalty of \$4,000. Imprisonment not exceeding five years, removal from, and incapacitation for, office.

[\* This sec. repealed. See sec. 5, chap. 416, post.] Salary of the commissary general, \$3,000 dollars per annum, and compensation of a deputy not to exceed \$2,000 dollars. &c.

The commissary general of purchases to give bond in \$50,000 dollars, and deputy commissaries, each, in 10,000 dollars: the bonds to be lodged with the comptroller.

After the 31st May, 1812, so much of the act establishing the office of purveyor, &c. as relates to the appointment and services of a purveyor, repealed. [\* Chap. 308, vol. 2.] The purveyor to deliver over to the commissary general, &c. the public stores, &c. Letters, &c. to



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and from the quartermaster and commissary general, free, &c. Not exceeding 1,500 dolls. a year allowed for clerks in the quartermaster general's office; and not exceeding 1,700 dolls. for the clerks of the commissary general, with books, &c. The quartermaster general authorized to appoint a principal wagon master, &c. to provide and conduct the wagons, &c.

Wagon masters not to be concerned in wagons, &c. except as agents, &c.

Pay, &c. of wagon masters.

The quartermaster general authorized to appoint a principal forage master, &c. to provide and deliver out forage.

No forage master to be concerned in the purchase or sale of forage, except as agent, &c.

Pay, &c. of forage masters.

Four conductors of artillery, to be appointed by the president, &c.

This act to go into operation on the 1st of April, 1812. So much of the act mentioned, as respects the appointment of military agents, &c. repealed, &c. [See chap. 209, vol. 3.]

**SECT. 11.** *And be it further enacted,* That there be allowed, for the compensation of the necessary clerks in the quartermaster general's office, a sum not exceeding fifteen hundred dollars a year; and for the compensation of the clerks of the commissary general, a sum not exceeding seventeen hundred dollars per annum, with such books and stationery as may be necessary to the quartermaster general's and commissary general's departments.

**SECT. 12.** *And be it further enacted,* That the quartermaster general be authorized to appoint a principal wagon master, and as many wagon masters as he may judge necessary for the service of the army, not exceeding one to each brigade, whose duty shall be, under the direction of the quartermaster general, or any of his deputies, to provide and conduct the wagons, and other means of transport, necessary and proper for the military service of the United States.

**SECT. 13.** *And be it further enacted,* That no wagon master shall, directly or indirectly, be concerned or interested in any wagon, or means of transport, employed in the service of the United States, nor in the purchase or sale of any horses, harness, wagons, or other means of transport, procured for, or belonging to, the United States, except as agent for the United States.

**SECT. 14.** *And be it further enacted,* That the principal wagon master shall be entitled to receive forty dollars per month, three rations per day, and forage for one horse; and each wagon master shall be entitled to receive thirty dollars per month, two rations per day, and forage for one horse.

**SECT. 15.** *And be it further enacted,* That the quartermaster general be authorized to appoint one principal forage master, and as many assistant forage masters, as the nature of the service may require, not exceeding one to each brigade, whose duty shall be, under the direction of the quartermaster general, or any of his deputies, to provide and deliver out forage necessary and proper for the military service of the United States; nor shall any forage master be, directly or indirectly, concerned in the purchase or sale of any article of forage procured for or belonging to the United States, except as an agent for the United States.

**SECT. 16.** *And be it further enacted,* That the principal forage master shall be entitled to and receive forty dollars per month, three rations per day, and forage for two horses; and that the other forage masters shall be entitled to and receive thirty dollars per month, two rations per day, and forage for one horse.

**SECT. 17.** *And be it further enacted,* That there shall be four conductors of artillery, who shall be appointed by the president alone, each of whom shall be entitled to the pay and emoluments of a lieutenant of artillery.

**SECT. 18.** *And be it further enacted,* That this act shall go into operation on the first day of April next; and that so much of the act fixing the military peace establishment of the United States, as respects the appointment of military agents and assistant military agents,\* be, and the same is hereby, repealed, from

and after that day; but all those agents shall continue to perform their respective duties in the mean time, and until the deputy and assistant deputy quartermasters shall be appointed and ready to enter on the execution of their respective offices; to whom the said military agents and assistant military agents shall then deliver all the public stores and property in their possession.

SECT. 19. *And be it further enacted*, That all persons attached to the public service by virtue of this act, shall be subject to military law, except the deputy commissaries.

SECT. 20. *And be it further enacted*, That the president may, and he hereby is, authorized, in the recess of the senate, to appoint the quartermaster general, deputy quartermasters, commissary general, and deputy commissaries, or any of them; which appointments shall be submitted to the senate at their next session, for their advice and consent.

[Approved, March 28, 1812.]

CHAP. 370. [XLVII.] An act concerning the naval establishment.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized and empowered to cause to be immediately repaired, equipped, and put into actual service, the frigates Chesapeake, Constellation, and Adams; and that a sum, not exceeding three hundred thousand dollars, be, and is hereby, appropriated for that purpose.

SECT. 2. *And be it further enacted*, That the officers and seamen of the navy may be increased so far as may be necessary to officer, man, and equip, the vessels so to be put into service, any law to the contrary notwithstanding.

SECT. 3. *And be it further enacted*, That the sum of two hundred thousand dollars, annually, for three years, viz: one thousand eight hundred and twelve, one thousand eight hundred and thirteen, and one thousand eight hundred and fourteen, be appropriated towards the purchase and supply of a stock of every description of timber required for ship building and other navy purposes; and that the first appropriation thereof be made in the purchase of timber suitable for rebuilding the frigates Philadelphia, General Greene, New York, and Boston.

SECT. 4. *And be it further enacted*, That the sums herein specifically appropriated shall be paid out of any moneys in the treasury, not otherwise appropriated.

SECT. 5. *And be it further enacted*, That as soon as it shall be deemed compatible with the good of the public service, the gun boats now in commission be laid up, and, with those not in commission, be distributed in the several harbors of the maritime frontier which are most exposed to attack, to be carefully kept and used as circumstances may require.

SECT. 6. *And be it further enacted*, That the pursers in the navy of the United States shall be appointed by the president of

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The military agents to continue to perform their duties in the mean time, &c.

Persons attached to the public service by this act, subject to military law, except, &c. The president may appoint the quartermaster general, commissary general, &c. in the recess, &c. to be submitted at the next session, &c.

\*Sec. in relation to the 3d sec. of this act, chap. 763, post.]

The president empowered to cause the frigates Chesapeake, Constellation, and Adams, to be put into actual service, &c. Not exceeding 300,000 dolls. appropriated for the purpose. The officers and seamen of the navy may be increased, so far, &c.

300,000 dolls. annually, for three years, appropriated towards the purchase, &c. of every description of timber required for ship building, &c. The first appropriation to be made in the purchase of timber suitable for rebuilding the frigates mentioned. The sums appropriated to be paid out of unappropriated moneys in the treasury.

As soon as compatible, &c. the gun boats in commission to be laid up, &c. to be distributed in the most exposed harbors of the maritime frontier, &c. Pursers in the navy to be appointed by the

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president and senate; and no person to act as purser, who has not been first nominated, &c. &c. pt. &c.

Every purser to give bond in the penalty of 10,000 dolls. &c.

the United States, by and with the advice and consent of the senate; and that, from and after the first day of May next, no person shall act in the character of purser, who shall not have been thus first nominated and appointed, excepting pursers on distant service, who shall not remain in service after the first day of July next, unless nominated and appointed as aforesaid. And every purser, before entering upon the duties of his office, shall give bond, with two or more sufficient sureties, in the penalty of ten thousand dollars, conditioned faithfully to perform all the duties of purser in the navy of the United States.

[Approved, March 30, 1812.]

CHAP. 371. [XLVIII.] An act granting to the corporation of the city of New Orleans the use and possession of a lot in the said city.

The right of the United States to a space 150 by 125 feet of a vacant lot of ground in New Orleans, &c. vested in the corporation of that city.

The corporation authorized to use the space for erecting, &c. steam engines for conveying water into the city, &c.

Provido; if the space is not occupied within three years from the 3d April, 1813, or ceases to be occupied for three years, the right of the United States to remain unimpaired; and this act not to affect the claims of individuals, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That all the right and claim of the United States to the use, possession, and occupancy, of a space of one hundred and fifty by one hundred and twenty-five feet of a vacant lot of ground, in the city of New Orleans, bounded by Bienville and Customhouse streets, and by Levee street and the high road, be, and the same is hereby, vested in the corporation of the said city. And the said corporation is authorized to use, possess, and occupy, the same, for the purpose of erecting, or causing to be erected and kept in operation, a steam engine, or engines, for conveying water into the said city, and all buildings necessary to the said purpose: *Provided,* That if the said space of ground shall not be occupied for the said purpose within the term of three years, from and after the passing of this act, or shall, at any time thereafter, cease to be so occupied, for the term of three years, the right and claim of the United States thereto shall remain unimpaired: *And provided also,* That this act shall not affect the claim or claims of any individual or individuals, if any such there be.

[Approved, April 3, 1812.]

CHAP. 372. [XLIX.] An act laying an embargo on all ships and vessels in the ports and harbors of the United States, for a limited time.\*

[\* Expired.]

An embargo, for 90 days from the 4th April, 1812, laid on all vessels within the limits of the United States, cleared or not cleared, bound to a foreign port; and no clearance to be furnished, except, &c.

The president to give instructions to the officers of the revenue, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That an embargo be, and hereby is, laid, for the term of ninety days from and after the passing of this act, on all ships and vessels in the ports and places within the limits or jurisdiction of the United States, cleared or not cleared, bound to any foreign port or place; and that no clearance be furnished to any ship or vessel bound to such foreign port or place, except vessels in ballast, with the consent of the president of the United States; and that the president be authorized to give such instructions to the officers of the revenue, and of the navy, and revenue cutters, of the

United States, as shall appear best adapted for carrying the same into full effect: *Provided*, That nothing herein contained shall be construed to prevent the departure of any foreign ship or vessel, either in ballast or with the goods, wares, and merchandise, on board of such foreign ship or vessel when notified of this act. 1812.

SECT. 2. *And be it further enacted*, That during the continuance of this act, no registered or sealetter vessel shall be allowed to depart from any one port of the United States to any other within the same, unless the master, owner, consignee, or factor, of such vessel, shall first give bond, with one or more sureties, to the collector of the district from which she is bound to depart, in a sum of double the value of the vessel and cargo, conditioned that the goods, wares, or merchandise, with which she shall be laden, shall be relanded in some port of the United States.

SECT. 3. *And be it further enacted*, That if any ship or vessel shall, during the continuance of this act, depart from any port of the United States, without a clearance or permit, or if any ship or vessel shall, contrary to the provisions of this act, proceed to a foreign port or place, or trade with, or put on board of, any other ship or vessel, any goods, wares, or merchandise, of foreign or domestic growth or manufacture, such ships or vessels, goods, wares, and merchandise, shall be wholly forfeited, and, if the same shall not be seized, the owner or owners, agent, freighter, or factors, of any such ship or vessel, shall, for every such offence, forfeit and pay a sum equal to double the value of the ship or vessel and cargo, and shall never thereafter be allowed a credit for duties on any goods, wares, or merchandise, imported by him or them into any of the ports of the United States; and the master or commander of such ship or vessel, as well as all other persons who shall knowingly be concerned in such prohibited foreign voyage, shall, each, respectively, forfeit and pay a sum not exceeding twenty thousand, nor less than one thousand, dollars, for every such offence, whether the vessel be seized and condemned or not; and the oath or affirmation of any master or commander, knowingly offending against the provisions of this section, shall ever thereafter be inadmissible before any collector of the customs of the United States.

SECT. 4. *And be it further enacted*, That all penalties and forfeitures arising under, or incurred by, virtue of this act, may be sued for, prosecuted, and recovered, with costs of suit, by action of debt, in the name of the United States of America, or by indictment or information, in any court having competent jurisdiction to try the same; and shall be distributed, and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage,"\* passed the second day of March, one thousand seven hundred and ninety-nine; and such penalties may be examined, mitigated, or remitted, in like manner, and under like conditions, regulations, and restrictions, as are prescribed, authorized, and directed, by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases herein mentioned,"† passed the third day of March, one thou-

*Provided*; nothing herein to prevent the departure of any foreign vessel, &c.

During the continuance of this act, no registered or sealetter vessel to be allowed to depart without first giving bond, &c.

Any vessel, during the continuance of this act, departing without a clearance, &c. or proceeding to a foreign port, or trading, &c. contrary to the provisions of this act, such vessel, with the goods, &c. to be forfeited; and if not seized, the owners, &c. to forfeit double the value, and never thereafter to be allowed credit, &c. and the master, &c. knowingly concerned, &c. to pay not exceeding 20,000, nor less than 1,000, dolls. and his oath thereafter to be inadmissible, &c.

Penalties, &c. arising under this act, may be recovered, with costs, by action of debt, or by indictment, &c. and to be distributed and accounted for as prescribed by the act mentioned, &c. [§ Chap. 126, vol. 3.]

The penalties may be examined, mitigated, &c. as prescribed by the act mentioned.

[† Chap. 361, vol. 3.]

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Proviso; penalties, &c. incurred by virtue of this act previous to its expiration, may be thereafter recovered, &c.

sand seven hundred and ninety-seven, and made perpetual by an act passed the eleventh day of February, one thousand eight hundred: *Provided*, That all penalties and forfeitures which shall have been incurred by virtue of this act, previous to the expiration thereof, may and shall thereafter be recovered and distributed, in like manner as if this act had continued in full force and virtue. [*Approved, April 4, 1812.*]

CHAP. 373. [L.] An act for the admission of the state of Louisiana into the union, and to extend the laws of the United States to the said state.

The people of that part of Louisiana within the limits described, formed, on the 23d Jan. 1812, a constitution and state government, which has been transmitted to congress, and by them approved. [*See page 134, vol. I.*]

[† Limits enlarged. See act of 14th April, 1812; chap. 380, post.]

[‡ Ante, ch. 308.]

The state of Louisiana declared to be one of the United States of America, &c. Proviso; it is a condition upon which the state of Louisiana is incorporated into the union, that the river Mississippi, &c. shall be common highways, and forever free, &c. without any toll, &c.

[§ See ante, chap. 298.]

Whereas the representatives of the people of all that part of the territory or country ceded, under the name of "Louisiana," by the treaty made at Paris, on the thirtieth day of April, one thousand eight hundred and three,\* between the United States and France, contained within the following limits; that is to say: beginning at the mouth of the river Sabine; thence, by a line to be drawn along the middle of said river, including all islands to the thirty-second degree of latitude; thence, due north, to the northernmost part of the thirty-third degree of north latitude; thence, along the said parallel of latitude, to the river Mississippi; thence, down the said river, to the river Iberville; and from thence, along the middle of the said river, and lakes Maurepas and Ponchartrain, to the gulph of Mexico; thence, bounded by the said gulph, to the place of beginning; including all islands within three leagues of the coast;† did, on the twenty-second day of January, one thousand eight hundred and twelve, form for themselves a constitution and state government, and give to the said state the name of the state of Louisiana, in pursuance of an act of congress, entitled "An act to enable the people of the territory of Orleans to form a constitution and state government, and for the admission of the said state into the Union, on an equal footing with the original states, and for other purposes."‡ And the said constitution having been transmitted to congress, and by them being hereby approved; therefore,

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the said state shall be one, and is hereby declared to be one, of the United States of America, and admitted into the union on an equal footing with the original states, in all respects whatever, by the name and title of the state of Louisiana: *Provided*, That it shall be taken as a condition upon which the said state is incorporated in the union, that the river Mississippi, and the navigable rivers and waters leading into the same, and into the gulph of Mexico, shall be common highways, and forever free, as well to the inhabitants of the said state as to the inhabitants of other states, and the territories of the United States, without any tax, duty, impost, or toll, therefor, imposed by the said state; and that the above condition, and also all other the conditions and terms contained in the third section of the act, the title whereof is hereinbefore recited,§ shall be considered, deemed,

and taken, fundamental conditions and terms, upon which the said state is incorporated in the union.

**SECT. 2.** *And be it further enacted,* That, until the next general census and appointment of representatives, the said state shall be entitled to one representative in the house of representatives of the United States; and that all the laws of the United States, not locally inapplicable, shall be extended to the said state, and shall have the same force and effect within the same as elsewhere within the United States.

**SECT. 3.** *And be it further enacted,* That the said state, together with the residue of that portion of country which was comprehended within the territory of Orleans, as constituted by the act, entitled "An act erecting Louisiana into two territories, and providing for the temporary government thereof,"\* shall be one district, and be called the Louisiana district; and there shall be established in the said district a district court, to consist of one judge, who shall reside therein, and be called the district judge; and there shall be, annually, four stated sessions of the said court held at the city of Orleans; the first to commence on the third Monday in July next, and the three other sessions progressively, on the third Monday of every third calendar month thereafter. The said judge shall, in all things, have and exercise the same jurisdiction and powers which, by the act, the title whereof is in this section recited,† were given to the district judge of the territory of Orleans; and he shall be allowed an annual compensation of three thousand dollars, to be paid quarter yearly, at the treasury of the United States. The said judge shall appoint a clerk of the said court, who shall reside, and keep the records of the court, in the city of Orleans, and shall receive for the services performed by him the same fees heretofore allowed to the clerk of the Orleans territory.‡

**SECT. 4.** *And be it further enacted,* That there shall be appointed in the said district, a person learned in the law, to act as attorney for the United States, who shall, in addition to his stated fees, be paid six hundred dollars annually, as a full compensation for all extra services. There shall also be appointed a marshal for the said district, who shall perform the same duties, be subject to the same regulations and penalties, and be entitled to the same fees to which marshals in other districts are entitled for similar services; and shall, moreover, be paid two hundred dollars annually, as a compensation for all extra services.

**SECT. 5.** *And be it further enacted,* That nothing in this act shall be construed to repeal the fourth section of an act, entitled, "An act for laying and collecting duties on imports and tonnage within the territories ceded to the United States, by the treaty of the thirtieth of April, one thousand eight hundred and three, between the United States and the French republic; and for other purposes;"§ and that the collection district shall be and remain as thereby established.

**SECT. 6.** *And be it further enacted,* That this act shall commence and be in force from and after the thirtieth day of April, eighteen hundred and twelve. [*Approved, April 8, 1812.*]

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Until the next general census, Louisiana entitled to one representative in congress, and all the laws of the United States, not locally inapplicable, extended, &c.

Louisiana, &c. to be one judicial district, &c.

[\*Ch.391, vol.3.]

A district court, to consist of a resident judge, &c.

Four stated sessions of the court annually, at Orleans, as specified.

The judge to exercise the same jurisdiction, &c. as given by the act mentioned to the district judge of the territory of Orleans, and allowed \$3,000 dolls. per ann. [†Sec chap.391, vol.3.]

The judge to appoint a clerk, to reside, &c. in Orleans, &c. [‡Sec sec. 8, ch. 391, vol.3.]

A district attorney to be appointed, to be paid 600 dolls. annually in addition to stated fees.

A marshal to be appointed, &c. to be paid 200 dolls. annually, besides the usual fees, &c.

Nothing in this act to repeal the 4th sec. of the act for laying and collecting duties on imports and tonnage within the territories ceded, &c.

[§Ch.306, vol.5.]

This act to be in force from the 30th April, 1812.

1812.

## CHAP. 374. [LI.] An act for the relief of Thomas Orr.

Thomas Orr confirmed in the purchase of the southeast quarter of section number 11, &c. in the Steubenville district, &c. and 320 dollars paid by him, &c. to be placed to his credit, as the first instalment, &c.

The further sum of 188 dollars, 88 cents paid by Martin Andrews, &c. to be placed to the credit of Thomas Orr, as part of the second instalment, &c.

If Thomas Orr pays the balances, &c. as prescribed, &c. he, or his heirs, &c. will be entitled to a patent.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That Thomas Orr be, and he is hereby, confirmed in the purchase of the southeast quarter of section number eleven, township seven, and range two, in the Steubenville district, at the rate of eight dollars per acre, and that the sum of three hundred and twenty dollars paid by the said Thomas Orr, on account of the purchase money of the said quarter section, on the fourteenth day of January, one thousand eight hundred and six, shall, by the register and receiver of public moneys of the land office for the district aforesaid, be placed to his credit, and be considered the first instalment of the purchase money due on said quarter section; and that the further sum of one hundred and fifty-eight dollars and eighty-five cents, paid by Martin Andrews, on the fourth day of May, one thousand eight hundred and eleven, on account of the purchase money of said quarter section, shall, by the register and receiver aforesaid, be placed to the credit of the said Thomas Orr, and be considered as part of the second instalment, which shall become due and payable, on account of the purchase money of the said quarter section, on the fourth day of May, one thousand eight hundred and thirteen; and if the said Thomas Orr shall pay the balance of the said second instalment on the said fourth day of May, one thousand eight hundred and thirteen, and the balance of the purchase money due on said quarter section, in two equal annual instalments, in the same manner as is provided by law for the purchasers of public lands, the said Thomas Orr, his heirs, or assigns, shall be entitled to a patent for the said quarter section.

[Approved, April 8, 1812.]

[\* Private and obsolete.]

## CHAP. 375. [LII.] An act for the relief of Thomas Wilson.\*

The accounting officers of the war department authorized to settle the account of Thomas Wilson for extra compensation for rations furnished, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the department of war be, and they are hereby, authorized and required to audit and settle the account of Thomas Wilson, for extra compensation for rations furnished the detachments of the troops of the United States, at new posts in Louisiana, and that they allow him for any unforeseen and unavoidable expenses which he shall adduce evidence to prove he incurred in furnishing the said rations.

[Approved, April 8, 1812.]

[† See the note at the end of ch. 760. post; and see orig. act, ante, ch. 337.]  
The president of the United States empowered to execute to

**CHAP. 376. [LIII.]** An act in addition to the act, entitled "An act to raise an additional military force," passed January the eleventh, one thousand eight hundred and twelve.†

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That

the president of the United States be, and he hereby is, empowered to cause to be enlisted, for the term of eighteen months, unless sooner discharged, such part of the light dragoons, artillery, and infantry, authorized by the act, entitled "An act to raise an additional military force,"\* as he may deem expedient: *Provided*. The whole number, so to be enlisted for eighteen months, shall not exceed fifteen thousand, any thing in the said recited act to the contrary notwithstanding.

SECT. 2. *And be it further enacted*, That the noncommissioned officers, musicians, and privates, so to be enlisted, shall be entitled to the bounty of sixteen dollars, and the same pay, clothing, and rations, the same provisions for wounds or disabilities, and to all other allowances, (the bounty in land excepted,) provided by the said before recited act,† for the noncommissioned officers, musicians, and privates, who may be raised under the same, and shall be held to perform the same duties, and be subject to the same rules and regulations. [*Approved, April 8, 1812.*]

1812.  
be enlisted, for the term of 18 months, unless, &c. such part of the light dragoons, artillery, &c. authorized by the act mentioned.  
[\* Ante, ch. 337.]  
Provided; the whole number to be enlisted for 18 months not to exceed 15,000, &c.  
The noncommissioned officers, privates, &c. to be entitled to the bounty of 16 dolls. &c. except the bounty in land, &c.  
[† See ante, ch. 337.]

CHAP. 377. [LIV.] An act for the relief of the officers and soldiers who served in the late campaign on the Wabash.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the officers, according to the rank assigned them by governor Harrison, and which they held on the seventh day of November, one thousand eight hundred and eleven, the noncommissioned officers, and soldiers, of the volunteers and militia, and the legal representatives of those who were killed, or died of their wounds, composing the army that served in the late campaign on the Wabash against the hostile Indians, shall receive the same compensation which is allowed by law to the militia of the United States when called into the actual service of the United States.

The officers and soldiers of the volunteers and militia, and the legal representatives of those who were killed or died of their wounds, in the army that served on the Wabash, &c. to receive the same compensation as allowed to militia called into actual service, &c.

SECT. 2. *And be it further enacted*, That the officers, according to the rank which they held as aforesaid, the noncommissioned officers and soldiers, of the volunteers or militia, who served in the said campaign, and who were killed or died of wounds received in said service, leaving a widow, or if no widow, shall have left a child or children, under the age of sixteen years, such widow, or if no widow, such child or children, shall be entitled to, and receive, the half of the monthly pay to which the deceased was entitled at the time of his death, or receiving the wound of which he died, for and during the term of five years; and in case of the death or intermarriage of such widow, before the expiration of the term of five years, the half pay, for the remainder of the term, shall go to the child or children of such deceased officer or soldier, whilst under the age of sixteen years; and in like manner the allowance to the child or children of such deceased, where there is no widow, shall be paid no longer than while there is a child or children under the age aforesaid: *Provided*, That no greater sum shall be allowed in any case to the widow, or to the child or children, of any officer, than the half pay of a lieutenant colonel.

The widows or children of the officers and soldiers who were killed, or died of wounds received in service on the Wabash, &c. to receive half the monthly pay to which the deceased was entitled, &c. for five years.

In case of the death or intermarriage of the widow, the half pay to go to the children, whilst under 16, &c.

Provided; no greater sum, in any case, to the widow, &c. than the half pay of a lieut. col.



1812.

Officers and privates, who served on the Wabash, and disabled by known wounds, &c. to be placed on the list of invalids, at such rate of pension as the president may direct, upon satisfactory proof, &c.  
 Provision; the rate of compensation for wounds, &c. not to exceed half the monthly pay of the officer, &c. and to privates, &c. not more than 5 dollars per month. Inferior disabilities in proportion.  
 No pension to exceed half the pay of a lieutenant colonel.  
 Persons belonging to the army who have lost horses in the battle of the Wabash, entitled to the value thereof.  
 Provision; the proof of the value of a horse to be by affidavit of the quartermaster, or, &c.  
 The heirs of persons killed, and persons wounded, in the campaign of the Wabash, and who were purchasers of public lands, &c. allowed a further time of three years to complete their payments, &c.

SECT. 3. *And be it further enacted*, That every officer, according to the rank which he held as aforesaid, noncommissioned officer, and private, of the volunteers and militia, who served in the said campaign, and who have been disabled by known wounds received in said service, shall be placed on the list of invalids of the United States, at such rate of pension as shall be directed by the president of the United States, upon satisfactory proof of such wound and disability being produced, to the secretary of war, agreeably to such rules as he may prescribe: *Provided*, That the rate of compensation for such wounds and disabilities shall never, for the highest disability, exceed half the monthly pay of such officer, at the time of being so wounded or disabled, and that the rate of compensation to a noncommissioned officer and private, shall never exceed five dollars per month; and all inferior disabilities shall entitle the person so disabled to receive a sum in proportion to the highest disability; but no pension of a commissioned officer shall be calculated at a higher rate than the half pay of a lieutenant colonel.

SECT. 4. *And be it further enacted*, That any person or persons belonging to the said army, who may have had a horse or horses killed or lost, during the late battle on the Wabash, shall be entitled to, and receive, the value thereof: *Provided*, That the proof of the value of such horse or horses shall be by affidavit of the quartermaster of the corps to which the owner may have belonged, or of two other credible witnesses.

SECT. 5. *And be it further enacted*, That, to the heirs or legal representatives of every person who was killed, and to every person who was wounded, in the said campaign, who were purchasers of public lands of the United States, and whose lands had not, before the seventh of November, one thousand eight hundred and eleven, been actually sold or reverted to the United States, for the nonpayment of part of the purchase money, a further time of three years shall be allowed, in addition to the time allowed by former laws, to complete their payments; which further time of three years shall commence from the respective times when their payments should have been completed according to former laws. [Approved; April 10, 1812.]

CHAP. 378. [LV.] An act to authorize a detachment from the militia of the United States.\*

[\* Expired.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized to require of the executives of the several states and territories, to take effectual measures to organize, arm, and equip, according to law, and hold in readiness to march at a moment's warning, their respective proportions of one hundred thousand militia, officers included, to be apportioned by the president of the United States, from the latest militia returns in the department of war; and, in cases where such returns have not been made, by such other data as he shall judge equitable.

The president authorized to require the executives of the several states to take measures to equip, &c. their respective proportions of 100,000 militia, to be apportioned by the president, &c.

**SECT. 2.** *And be it further enacted,* That the detachment of militia aforesaid shall be officered out of the present militia officers, or others, at the option and discretion of the constitutional authority in the respective states and territories; the president of the United States apportioning the general officers among the respective states and territories, as he may deem proper: and the commissioned officers of the militia, when called into actual service, shall be entitled to the same pay, rations, and emoluments, as the officers of the army of the United States.

**SECT. 3.** *And be it further enacted,* That the said detachment shall not be compelled to serve a longer time than six months after they arrive at the place of rendezvous; and, during the time of their service, the noncommissioned officers, musicians, and privates, shall be entitled to the same pay and rations as is provided by law for the militia of the United States when called into actual service.

**SECT. 4.** *And be it further enacted,* That the president of the United States be, and he hereby is, authorized to call into actual service any part, or the whole, of said detachment, in all the exigencies provided by the constitution;\* and the officers, noncommissioned officers, musicians, and privates, of the said detachment, shall be subject to the penalties of the act, entitled "An act for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes,"† passed the twenty-eighth day of February, one thousand seven hundred and ninety-five; and if a part only of said detachment shall be called into actual service, they shall be taken from such part thereof as the president of the United States shall deem proper.

**SECT. 5.** *And be it further enacted,* That no noncommissioned officer, musician, or private, belonging to the aforesaid detachment of militia, who shall be ordered into actual service by the president of the United States, shall be subject to corporal punishment by whipping, any thing contained in any act to the contrary notwithstanding.

**SECT. 6.** *And be it further enacted,* That in lieu of whipping, as provided by several of the rules and articles of war, as now used and practised, stoppage of pay, confinement, and deprivation of part of the rations, shall be substituted in such manner as is hereinafter provided.

**SECT. 7.** *And be it further enacted,* That any noncommissioned officer or private, belonging to the aforesaid detachment of militia, who shall, while in actual service, be convicted before any court martial of any offence, which, before the passing of this act, might or could have subjected such person to be whipped, shall, for the first offence, be put under such stoppages of pay as such court martial shall adjudge, not exceeding the one-half of one month's pay for any one offence; but such offender may, moreover, at the discretion of such court martial, be confined under guard, on allowance of half rations, any length of time, not exceeding ten days for any one offence, or may, at the discretion of such court martial, be publicly drummed out of the army.

1812.  
The detachment to be officered out of the militia officers, or others, at the option, &c. The president to apportion the general officers, &c. The commissioned officers, &c. to be paid, &c. as the officers of the army. The detachment not compelled to serve longer than six months after, &c. and entitled to the same pay, &c.

The president may call into actual service any part, or the whole, of the detachment, in all the exigencies, &c.  
[\* See the const. art. 1, sec. 8, cl. 14, page 64, vol. 2.]

[† Ch. 277, vol. 2.]

Noncommissioned officers, privates, &c. belonging to the detachment, &c. not to be subject to whipping, &c.

Stoppage of pay, confinement, &c. substituted for whipping, &c.

Specification of punishments in lieu of whipping, &c.

1812.

1,000,000 dollars, appropriated towards defraying expenses incurred by virtue of this act.

This act to be in force until the 10th April, 1814.

SECT. 8. *And be it further enacted*, That the sum of the million of dollars be, and the same is hereby, appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated, towards defraying any expense incurred by virtue of the provisions of this act.

SECT. 9. *And be it further enacted*, That this act shall continue and be in force, for the term of two years from the passing thereof, and no longer. [Approved, April 10, 1812.]

[\*Expired.]

CHAP. 379. [LVI] An act to prohibit the exportation of specie, goods, wares, and merchandise, for a limited time.\*

During the continuance of the act laying an embargo, it is unlawful to export, in any manner what ever, any specie, goods, &c. under penalty of forfeiture, and payment of not exceeding 10,000 dollars.  
[Ante, ch. 372.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That it shall not be lawful, during the continuance of the act, entitled "An act laying an embargo on all the ships and vessels in the ports and harbors of the United States, for a limited time,"† to export from the United States, or the territories thereof, in any manner whatever, any specie, nor any goods, wares, or merchandise, of foreign or domestic growth or manufacture; and if any person shall, with intent to evade this law, export, or attempt to export, any specie, goods, wares, or merchandise, from the United States or the territories thereof, either by land or water, such specie, goods, wares, and merchandise, together with the vessel, boat, raft, cart, wagon, sleigh, or other carriage, in which the same shall have been exported or attempted to be exported, shall, together with the tackle, apparel, horses, mules, and oxen, be forfeited, and the owner or owners of such specie, goods, wares, or merchandise, and every other person knowingly concerned in such prohibited exportation, on conviction thereof, shall, each, respectively, forfeit and pay a sum not exceeding ten thousand dollars for every such offence: *Provided, however*, That nothing in this section contained shall be construed to prevent the departure of vessels, which, according to the act last above mentioned,‡ are or may be permitted to depart, in the manner and under the restrictions provided by the said act.

Proviso; nothing in this section to prevent the departure of vessels permitted to depart by the act referred to, &c. [See ante, chap. 372.]

The president, &c. may employ the land or naval forces, or militia, for preventing the illegal departure of any vessel, or the illegal exportation of any specie, goods, &c.

SECT. 2. *And be it further enacted*, That it shall be lawful for the president of the United States, or such other person as he shall have empowered for that purpose, to employ any part of the land or naval forces, or militia of the United States, or of the territories thereof, as may be adjudged necessary for the purpose of preventing the illegal departure of any ship or vessel, or the illegal exportation of any specie, or of any goods, wares, or merchandise, contrary to the provisions of this, or of the last abovementioned, act, and for the purpose of detaining, taking possession of, and keeping in custody, any such ship or vessel, specie, goods, wares, or merchandise.

Penalties, &c. incurred by virtue of this act, to be recovered, distributed, and mitigated, &c. as provided by

SECT. 3. *And be it further enacted*, That all penalties and forfeitures, incurred by virtue of this act, shall and may be prosecuted, sued for, recovered, and distributed, and may be mitigated and remitted, in the manner provided by the act, entitled

"An act laying an embargo on all the ships and vessels in the ports and harbors of the United States, for a limited time,"\* and also, that the penalties and forfeitures incurred by virtue of this act may be recovered subsequently to the expiration thereof, in the same manner as if this act had continued in full force and virtue. [Approved, April 14, 1812.]

1812.

An act laying an  
embargo, &c.  
[Approved, April 14, 1812.]

CHAP. 388. [LVII.] An act to enlarge the limits of the state of Louisiana.†

[†For former  
limits, see ante,  
chap. 373.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That, in case the legislature of the state of Louisiana shall consent thereto, all that tract of country comprehended within the following bounds, to wit: Beginning at the junction of the Iberville with the river Mississippi; thence, along the middle of the Iberville, the river Amite, and of the lakes Maurepas and Ponchartrain, to the eastern mouth of the Pearl river; thence, up the eastern branch of Pearl river, to the thirty-first degree of north latitude; thence, along the said degree of latitude, to the river Mississippi; thence, down the said river, to the place of beginning; shall become and form a part of the said state of Louisiana, and be subject to the constitution and laws thereof, in the same manner, and for all intents and purposes, as if it had been included within the original boundaries of the said state.*

In case the legis-  
lature of Louisi-  
ana consents, the  
tract of country  
described to form  
part of that state.

SECT. 2. *And be it further enacted, That it shall be incumbent upon the legislature of the state of Louisiana, in case they consent to the incorporation of the territory aforesaid within their limits, at their first session, to make provision by law for the representation of the said territory in the legislature of the state, upon the principles of the constitution, and for the securing to the people of the said territory equal rights, privileges, benefits, and advantages, with those enjoyed by the people of the other parts of the state; which law shall be liable to revision, modification, and amendment, by congress, and also in the manner provided for the amendment of the state constitution, but shall not be liable to change or amendment by the legislature of the state.* [Approved, April 14, 1812.]

The legislature  
of Louisiana, in  
case they con-  
sent, &c. to pro-  
vide by law, at  
their first ses-  
sion, for the re-  
presentation of  
the additional  
territory, &c.  
upon the prin-  
ciples of the con-  
stitution, &c.  
the law to be sub-  
ject to the revision,  
&c. of con-  
gress, &c.

CHAP. 391. [LVIII.] An act giving further time for registering claims to land in the eastern district of the territory of Orleans.‡

[See act of 27th  
Feb. 1813; chap.  
393, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That every person or persons claiming lands in the eastern district of the territory of Orleans, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the register of the land office for the said district, shall be allowed until the first day of November next to deliver notices in writing, and the written evidences, of their claims, to the register of the land office at New Orleans; and the notices*

Persons claiming  
lands in the east-  
ern district of  
Orleans, being  
actual settlers,  
and whose  
claims have not  
been filed, &c.  
allowed until the  
1st Nov. 1813, to  
deliver notices,  
&c.  
Notices, &c. de-  
livered within

1812.

the time limited by this act, to be recorded, &c.

The rights of persons neglecting to deliver notice, &c., to be barred, &c.

[\*See ante, sec. 5, chap 91.]

The register and receiver at New Orleans to have the same powers, &c., in relation to the claims filed, &c., as if notice had been given before the 1st July, 1806, except, &c.

The register and receiver to report to the secretary of the treasury all the claims filed, &c.

The secretary of the treasury to lay the report, &c., before congress, &c.

The register and receiver empowered to appoint a clerk; his duties, &c.

The register, receiver, and clerk, each, to be allowed 50 cents for each claim filed, in full, &c.

and evidences so delivered, within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from, or founded on, any act of congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of the United States, against any grant derived from the United States.\*

SECT. 2. *And be it further enacted*, That the register and receiver of public moneys of the said land office at New Orleans, shall have the same powers, and perform the same duties, in relation to the claims thus filed before the first day of November next, as if notice of the same had been given before the first day of July, one thousand eight hundred and eight, except that their decision shall be subject to the revision of congress. And it shall be the duty of the said register and receiver to make to the secretary of the treasury a report of all the claims thus filed with the register of the land office, together with the substance of the evidence in support thereof, with their opinion and such remarks thereon as they may think proper; which report, together with a list of the claims which, in the opinion of the register and receiver, ought to be confirmed, shall be laid, by the secretary of the treasury, before congress, at their next session, for their determination thereon. The said register and receiver shall have power to appoint a clerk, whose duties shall be the same, in relation to the claims filed as aforesaid, as was required of the clerk to the board of commissioners for adjusting claims to lands in the said district; and the said register, receiver, and clerk, shall, each, be allowed fifty cents for each claim filed according to this act, and on which a decision shall be made, whether such decision be in favor of, or against, the claim; which allowance of fifty cents shall be in full compensation for their services under this act. [Approved, April 14, 1812.]

[\* See the note at the end of ch. 780, post.]

CHAP. 382. [LIX.] An act for the organization of a corps of artificers.†

A corps of artificers to be attached to the quartermaster general's department, &c. Organization of the corps of artificers.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That there shall be attached to the quartermaster general's department, and subject to the orders of the officers thereof, a corps of artificers, to consist of one superintendent, to be appointed by the president of the United States, four assistants, two master masons, two master carpenters, two master blacksmiths, two master boat builders, two master armorers, two master saddle and harness makers, twenty house carpenters, five ship carpenters, twenty blacksmiths, sixteen boat builders, sixteen armorers, twelve saddle and harness makers, and twenty-four laborers, to be selected from the privates of the army, when authorized thereto by the commanding general, or engaged from among the citizens by the superintendent.

**SECT. 2.** *And be it further enacted,* That the pay of the superintendent of artificers shall be forty-five dollars per month, three rations per day, and forage for one horse; that the pay of the four assistants be, each, thirty dollars per month, and two rations per day; that the pay of the twelve master workmen be, each, thirty dollars per month, and one ration and one-half of a ration per day; that the pay of the other workmen be, each, sixteen dollars per month, and one ration and one-half of a ration per day.

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Pay, &c. of the superintendent of artificers, assistants, &c.

**SECT. 3.** *And be it further enacted,* That it shall be the duty of the superintendent of artificers to render a correct report, once each month, of the corps, to the quartermaster general, and on oath to make out the pay roll thereof; which pay roll shall be examined by the quartermaster general, or, in his absence, by one of the deputy quartermasters, and by him be countersigned; and faithfully, and without delay, to execute all such orders as he may receive from the secretary of war, any officer of the quartermaster's department, or from the officer commanding in the field or garrison to which his corps, or any part thereof, may be attached.

The superintendent to report once a month, to the quartermaster general, make out the pay roll on oath, &c. execute all orders, &c.

**SECT. 4.** *And be it further enacted,* That this corps shall be engaged for and during the term of three years, unless sooner discharged by the president of the United States.

The corps to be engaged for three years, unless, &c.

**SECT. 5.** *And be it further enacted,* That, for defraying the expense that may be incurred in the execution of this act, the sum of thirty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated. [Approved, April 23, 1812.]

30,000 dolls. appropriated for defraying the expense that may be incurred under this act, &c.

CHAP. 383. [LX.] An act for the relief of William Hubbell.\*

[\* Private and obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officers of the treasury department be, and they are hereby, authorized and required to allow to William Hubbell, one of the collectors of the excise tax, the sum of one thousand and eighty-two dollars fifty-one and an half cents, as a credit (on account of uncollected revenue and stationery) against the judgments which have been obtained by the United States against the said William Hubbell. [Approved, April 23, 1812.]

The accounting officers of the treasury department required to allow William Hubbell, a collector of the excise, &c. 1,082 dolls. 51 1/2 cents, on account of uncollected revenue and stationery, against judgments, &c.

CHAP. 384. [LXI.] An act to authorize the secretary for the department of war to exchange lands with the Ursuline Nuns of the city of New Orleans.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary for the department of war be, and he is hereby, authorized and empowered, to exchange the lot of ground, situate in the city of New Orleans, on which the military hospital of the United States stands, with the Ursuline Nuns of said city,

The secretary of war empowered to exchange the lot in New Orleans on which the military hospital stands,

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with the Ursuline Nuns, for another lot, conveniently situated for a military hospital of equal value, &c.

The secretary of war authorized to make and receive deeds, &c. reserving the use of the hospital for such time as he may deem necessary.

whose convent adjoins, or is near, the same, for such other lot or lots of ground, in said city of New Orleans, or its vicinity, owned by the said nuns, as, in the opinion of said secretary, shall be conveniently situated for a military hospital, and of equal value with the said lot on which the said hospital now stands, including the value of said hospital.

SECT. 2. *And be it further enacted*, That, in case of such exchange, the secretary for the department of war is hereby authorized and empowered to make, execute, and deliver, in behalf of the United States, to the said Ursuline Nuns, or to such person or persons as they may designate, a deed or other instrument in writing, therein and thereby conveying to them all the right and title of the United States, in and to the said lot of ground aforesaid, reserving, however, to the United States, the use of said hospital, for such time as he shall judge necessary; and the secretary for the department of war is hereby also authorized to take and receive from the said Ursuline Nuns, or from such person or persons as may be authorized in their behalf for that purpose, a deed or deeds, or other instrument in writing, conveying to the United States a good and sufficient title to the lot or lots of ground, which he may agree to take in exchange; and which deed or deeds, or other instrument in writing, shall contain the necessary covenants to secure to the United States in case of any failure of title thereto. [*Approved, April 23, 1812.*]

CHAP. 385. [LXII.] An act to authorize the granting of patents for land, according to the surveys that have been made, and to grant donation rights to certain claimants of land in the district of Detroit, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That patents shall be granted to the persons whose claims to land have been confirmed in the district of Detroit, in conformity to the surveys which have been made under the direction of the surveyor general, and the general plat of which has been returned to the secretary of the treasury, notwithstanding the surveys shall not, in every respect, correspond with the description of the tracts as confirmed by the commissioners for adjusting land claims in the said district: *Provided*, That the confirmation of the commissioners, and certificate of the registers, shall, in every other respect, be conformable to law.

SECT. 2. *And be it further enacted*, That every person whose claim has been confirmed by the commissioners aforesaid, to a tract of land bordering on the river Detroit, and whose tract, as confirmed, does not extend in depth eighty arpens, French measure, shall be entitled to a donation of any vacant tract of land adjacent to, and back of, the land confirmed to him as aforesaid: *Provided*, That such donation shall not exceed forty arpens, French measure, in depth, nor in quantity of land that contained in the tract already confirmed to him, nor shall, in any case, the tract confirmed as aforesaid, and that allowed as a donation,

Patents to be granted to persons whose claims to land have been confirmed in the district of Detroit, &c. although the surveys do not correspond with the description, &c.

*Provided*; the confirmation, &c. to be, in every other respect, conformable, &c.

Persons whose claims have been confirmed, &c. to a tract of land bordering on the Detroit, and whose tract does not extend, &c. to be entitled to a donation of vacant adjacent land, &c. not exceeding 40 arpens in depth, &c.

together, exceed eighty arpens, French measure, in depth; and 1812.  
 in all cases where, by reason of bends in the said river, and of  
 adjacent prior claims, each claimant cannot obtain a tract equal  
 in quantity to the tract already confirmed to him, the vacant land  
 applicable to the object shall be divided between the claimants  
 in such manner as shall appear to the commissioners for adjust-  
 ing the claims most equitable. And every person claiming a  
 donation in virtue of this section shall, on or before the first day  
 of December next, deliver to the register of the land office at  
 Detroit a notice, in writing, of the situation and extent of his  
 claim, which he shall file in his office on receiving twenty-five  
 cents from the party or parties for each claim; and if such per-  
 son shall neglect to deliver such notice within the time limited,  
 his right to a donation, under this section, shall become void.  
 And the commissioners for adjusting claims to land in the said  
 district shall, as soon as may be after the first of December next,  
 proceed to examine and decide, according to the provisions of  
 this section, on the claims filed as aforesaid; and when it shall  
 appear to the said commissioners that the claimant is entitled to  
 a donation of land, they shall give a certificate, stating the cir-  
 cumstances of the case, and that the claimant is entitled to  
 receive a patent for such a tract of land by virtue of this section,  
 which tract shall be surveyed in conformity with the decision of  
 the commissioners, at the expense of the party, under the direc-  
 tion of the surveyor general, by such of his assistants residing in  
 the said district as the said surveyor general shall appoint for  
 that purpose. The expense of surveying shall be the same,  
 and the plats of surveys and transcript of the decisions of the  
 commissioners in favor of claimants shall be made and transmit-  
 ted to the secretary of the treasury in the same manner; and the  
 certificates granted by the commissioners shall be entered with  
 the register of the land office, and certificates of the register be  
 granted to the party or parties on payment of the same fees, and  
 patents granted, in every respect, in the same manner, as is di-  
 rected by the third section of an act, entitled "An act regulating  
 the grants of land in the territory of Michigan,"\* passed the  
 third day of March, one thousand eight hundred and seven.

Where, from bends in the river, &c. each claimant cannot obtain a tract equal in quantity, &c. the vacant land applicable, &c. to be divided between the claimants, &c.  
 Persons claiming a donation in virtue of this section, to deliver a written notice to the register on or before the 1st Dec. 1812, &c. or their rights become void.

The commissioners for adjusting claims, &c. to examine and decide, &c. give a certificate, &c.

The expense of surveying, &c. the same as directed by the 3d section of the act regulating the grants of land in the territory of Michigan.

[\* Ante, ch. 92.]

[† Private.]  
 The heirs of Joseph Harrison, &c. permitted to enter, with the register, their claim to any tract or tracts of land in the district of Detroit, &c.

**SECT. 3.†** And be it further enacted, That the heirs of Joseph Harrison, late of Detroit, deceased, be permitted to enter, with the register of the land office for the district of Detroit, their claim to any tract or tracts of land in the said district; and such entry shall have the same effect, and the commissioners shall have the same powers, and act thereon in the same manner, as if the entry had been made before the first day of January, one thousand eight hundred and nine; and in case of a decision in favor of their claim or claims, a patent or patents shall be granted for the lands so claimed and confirmed to them, any law to the contrary notwithstanding. [Approved, April 23, 1812.]



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CHAP. 386. [LXIII.] An act making provision for certain persons claiming lands under the several acts for the relief of the refugees from the British provinces of Canada and Nova Scotia.

The names of persons to whom the quantities of land specified are assigned, under the acts for the relief of the refugees from Canada and Nova Scotia, &c. [\*Chap. 376, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the following persons, claiming lands under the act, entitled "An act to revive and continue in force an act, entitled 'An act for the relief of the refugees from the British provinces of Canada and Nova Scotia,'"\* passed on the sixteenth day of March, one thousand eight hundred and four, shall, respectively, be entitled to the following quantities of land; that is to say: Charlotte Hazen, widow of Moses Hazen; Chloe Shannon, wife of James Noble Shannon, and relict of Obadiah Ayer, deceased; the heirs of Elijah Ayer and the heirs of Israel Ruland, respectively, nine hundred and sixty acres; Elijah Ayer, jun. and the heirs of Anthony Burk, respectively, three hundred and twenty acres. And that the following persons, claiming lands under the act, entitled "An act further to provide for the refugees from the British provinces of Canada and Nova Scotia, and for other purposes,"† passed on the twenty-fourth day of February, one thousand eight hundred and ten, shall, respectively, be entitled to the following quantities of land; that is to say: The heirs of James Boyd; two thousand two hundred and forty acres; the heirs of Nathaniel Reynolds, the heirs of Edward Antill and Joshua Sprague, respectively, nine hundred and sixty acres; Robert Sharp, John Fulton, and John Morrison, each, six hundred and forty acres; James Sprague, David Dickey, John Taylor, and the heirs of Gilberts Seamans, deceased, respectively, three hundred and twenty acres; which several tracts of land shall be located within the boundaries of the fractional townships, reserved and set apart for the purpose of satisfying the claims of the refugees from Canada and Nova Scotia; and the locations shall be made, and patents granted, in the manner, and on the conditions, prescribed by former laws, except as to the time for making the locations; which locations shall be made on the day or days that the secretary of the treasury shall judge most convenient for the claimants, and shall designate for the purpose.

[Approved, April 23, 1812.]

CHAP. 387. [LXIV.] An act giving further time to the purchasers of public lands northwest of the river Ohio, to complete their payments.‡

[† See chap. 457, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* every person who, prior to the first day of April, one thousand eight hundred and eight, had purchased any tract or tracts of land of the United States, not exceeding, in the whole, six hundred and forty acres, at any of the land offices established for the disposal of the public lands northwest of the river Ohio, and whose lands have not already been actually sold or reverted to the United States for nonpayment of part of the purchase money,

Every person who, prior to the 1st April, 1808, had purchased any tract of land, not exceeding 640 acres, at any of the offices northwest of the Ohio, and whose lands have not been sold or re-

shall be allowed the further term of three years from the first day of January, one thousand eight hundred and thirteen, for the payment of the residue of the principal and interest, due on account of such purchase, to be paid in four equal annual payments, the first whereof to be on the said first day of January, one thousand eight hundred and thirteen: and in case of failure in paying any of the said annual payments, at the time when the same shall become due, the tract of land shall be forthwith advertised and offered for sale, in the manner, and on the terms and conditions, heretofore prescribed for the sale of lands purchased of the United States, and not paid for within the limited time. **1812.**  
verted, &c. allowed until the 1st Jan. 1816, for the payment of the residue, &c.  
In case of failure in paying at the time, &c. the tract to be advertised and offered for sale, &c.  
*[Approved, April 23, 1812.]*

**CHAP. 388. [LXV.] An act for the relief of Aaron Greeley.\***

[\* Private and obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the treasury be, and they are hereby, authorized and required to settle the claim of Aaron Greeley, and allow him at the rate of three dollars per mile for each boundary line, common to any two private surveys he may have made in the district of Detroit; and that they also allow him at the same rate for each line run by him in the said district, not the boundary of any survey, but run in order to connect the surveys into a general plat: *Provided,* That the aforesaid allowance shall be in full for his services as assistant surveyor in the district aforesaid. *[Approved, April 24, 1812.]*  
The accounting officers of the treasury required to settle the claim of Aaron Greeley, and allow him 3 dollars per mile for each boundary line, &c. and at the same rate for each line run to connect the surveys, &c. the allowance to be in full, &c.

**CHAP. 389. [LXVI.] An act to continue in force, for a limited time, an act, entitled "An act continuing for a limited time the salaries of the officers of government therein mentioned."†**  
[See orig. act, of 30th Feb. 1804; ch. 368, vol. 3.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That an act, passed on the twentieth day of February, one thousand eight hundred and four, entitled "An act continuing for a limited time the salaries of the officers of government therein mentioned,"‡ shall be and continue in force for the term of three years, and to the end of the next session of congress thereafter, and no longer.  
The act continuing for a limited time the salaries of the officers of government, &c. continued until the end of the 1st session of the 14th congress. [Ch. 368, vol. 3.]

**SECT. 2.** *And be it further enacted,* That, for paying the salaries of the secretaries of state, treasury, war, and navy, the comptroller, auditor, and register, of the treasury, the treasurer of the United States, the accountants of the war and navy departments, the postmaster general, and the first assistant postmaster general, in addition to the sums already appropriated by the "Act making appropriations for the support of government for the year one thousand eight hundred and twelve,"§ there be appropriated the further sum of seven thousand seven hundred and fifty-two dollars and fifty cents, to be paid out of any moneys in the treasury, not otherwise appropriated.  
A further sum of 7,752 dollars. 50 cents appropriated for paying the salaries of the officers of government mentioned. [Ante, ch. 356.]

*[Approved, April 24, 1812.]*

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[See act of 1  
18th April, 1814;  
chap. 673, post.]

CHAP. 390. [LXVII.] An act for ascertaining the titles and claims to land in that part of Louisiana which lies east of the river Mississippi and west of New Orleans.\*

Two land districts to be laid off, and Pearl river to form the boundary between them, &c.

A commissioner for each district, to be appointed by the president and senate.

The commissioners empowered to appoint clerks, capable of translating, &c.

The commissioners and clerks to take an oath, &c.

The commissioners and clerks to attend in the parishes, &c.

Twenty days notice to be given of the time and place, &c.

Each commissioner to keep an office, &c.

Six months after the establishment of the offices allowed to deliver notice and evidence of claims, &c. Persons claiming, &c. by virtue of any

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for the purpose of ascertaining the titles and claims to lands in that tract of country which lies south of the Mississippi territory, east of the river Mississippi and island of New Orleans, and west of the river Perdido, and a line drawn with the general course thereof to the southern boundary of the said Mississippi territory, the lands within the said limits shall be laid off into two land districts, between which Pearl river shall be the boundary; and for each of which districts a commissioner for land claims shall be appointed by the president of the United States, with the advice and consent of the senate. The said commissioners shall, respectively, have power to appoint a clerk, who shall be a person capable of translating the French and Spanish languages, and who shall, in addition to the other duties required of him by this act, perform the duties of translator, when required by the commissioner. And the said commissioners and clerk shall, before entering on the duties of their appointments, respectively, take an oath or affirmation, *truly and faithfully to execute the duties imposed on them by this act.*

SECT. 2. *And be it further enacted, That,* for the more convenient ascertainment of the titles and claims to lands as aforesaid, it shall be the duty of each of the said commissioners, respectively, and their clerks, to attend in each of the several parishes in his district, at such time and place therein as he shall appoint, for the purpose of receiving notices and evidences of titles and claims to lands within the same; and when the commissioners shall have appointed the time and place for his attendance in any parish, he shall cause public notice thereof to be given to the inhabitants of the same, for at least twenty days previous to the time of his commencing the business of his appointment therein.

SECT. 3. *And be it further enacted, That* each commissioner, after he shall have attended for a reasonable and sufficient length of time in each parish of his district, for the claimants of lands within the same to have delivered the notices and evidences of their claims, shall establish his office at such place in his district as he shall judge most convenient, and of which he shall give public notice; and every person claiming lands within his district, who shall have neglected, or by any circumstance have been prevented from delivering a notice and evidence of his claims, during the time the commissioner attended in the parish in which the lands he may claim are situate, shall be at liberty, at any time before the end of six months from and after such office shall have been established, to deliver a notice and the evidence of his claims; and it shall have the same effect as if delivered in the parish wherein the lands claimed are situated.

\*SECT. 4. *And be it further enacted, That* every person claiming lands in the tract of country aforesaid, by virtue of any grant,

order of survey, or other evidence of claim whatsoever, derived from the French, British, or Spanish governments, shall deliver to the commissioner for land claims, when attending for the purpose, in the parish in which the lands claimed may lie, a notice in writing, stating the nature and extent of his claims, together with a plat (in case a survey shall have been made) of the tract or tracts claimed; and shall deliver to the commissioner, when attending as aforesaid, for the purpose of being recorded, every grant, order of survey, deed, conveyance, or other written evidence of his claim, and the same shall be recorded by the clerk, in books to be kept for that purpose, on his receiving from the party or parties at the rate of twelve and an half cents for every hundred words contained in such written evidence of their claim: *Provided, however,* That where lands are claimed by virtue of a complete French, British, or Spanish grant, it shall not be necessary for the claimant to have any other evidence of his claim entered at large on the record, except the original grant or patent, together with the order of survey, and the plat; all the other conveyances or deeds may be abbreviated in the entry; but the chain of title, and the date of every transfer, shall appear on the record. And if such person shall neglect to deliver such notice in writing of his claim, together with the plat (in case the lands claimed shall have been surveyed) as aforesaid, or cause to be recorded such written evidence of the same within the time and times as aforesaid, his claim shall never after be recognised or confirmed by the United States; nor shall any grant, order of survey, deed, conveyance, or other written evidence, which shall not be recorded as above directed, ever after be considered or admitted as evidence in any court of the United States, against any grant which may hereafter be derived from the United States.\*

SECT. 5. *And be it further enacted,* That the said commissioners shall have power, in their respective districts, to inquire into the justice and validity of the claims filed with them as aforesaid: It shall be their duty to ascertain, in every case, whether the lands claimed have been inhabited and cultivated; at what time such inhabitation and cultivation commenced; when surveyed, and by whom and what authority; and into every other matter respecting the claims which may affect the justice and validity thereof; and for that purpose shall have power to administer oaths, and to compel the attendance of, and examine, witnesses, and such other testimony as may be adduced; to have access to all records of a public nature, relative to the granting, sale, transfer, or titles, of lands within their respective districts, and to take transcripts from such record or records, or any part thereof; and the evidence thus adduced and obtained, shall, by the clerk, be entered in a book to be kept for that purpose.

SECT. 6. *And be it further enacted,* That the powers vested by law in the surveyor of the lands of the United States south of the state of Tennessee, shall extend over all the public lands in the said tract of country.

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French, British, or Spanish grants, &c. to deliver written notice to the commissioner, &c.

Grants, &c. to be delivered to the commissioner for recording, &c.

Provido; where lands are claimed by virtue of complete French, British, or Spanish grants, not necessary to have any other evidence entered at large on the record, except the original grant, &c. Persons neglecting to deliver written notices, &c. their claims never after to be recognised, &c.

[\* See chap. 673, post.]

The commissioners empowered to inquire into the justice and validity of the claims filed, &c.

The evidence adduced, &c. to be entered by the clerk, &c. The powers of the surveyor south of Tennessee, to extend over all the public lands in the tract mentioned

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The commissioners, &c. to prepare, &c. abstracts from the records of claims filed &c. report them to the secretary of the treasury, who is to lay them before congress, &c.

**SECT. 7.** *And be it further enacted,* That the said commissioners shall, respectively, under such instructions as the secretary of the treasury may, with the approbation of the president of the United States, transmit to them in relation thereto, prepare, and cause to be prepared, abstracts from the records of the claims filed as aforesaid, in which the claims shall be arranged into classes, according to their respective merits, and other circumstances whereby they may be diversified; the abstracts shall contain the substance of the evidence adduced in support of, or obtained respecting, the claims, and shall contain such other information and remarks as may be necessary to a proper decision thereon; which abstracts the commissioners shall, respectively, as soon as may be, report to the secretary of the treasury, and shall, by him, be laid before congress, at the next session thereafter, for their determination thereon.

The commissioners required to collect and report to congress, &c. a list of actual settlers, who have no claims derived from the British, French, or Spanish governments, &c.

**SECT. 8.** *And be it further enacted,* That the said commissioners be, and they are hereby, authorized and required to collect and report to congress, at their next session, a list of all the actual settlers on land in said districts, respectively, who have no claims to land derived either from the French, British, or Spanish, governments, and the time at which such settlements were made.

Each commissioner allowed at the rate of 1,800 dollars, a year, each clerk at the rate of 1,000 dollars. *Provido;* not more than 18 months' compensation to the commissioner and clerk east of Pearl river, nor more than two years', &c. to the commissioner and clerk west, &c. Additional allowance, in full, &c. on making report to the secretary of the treasury.

**SECT. 9.** *And be it further enacted,* That each of the said commissioners shall be allowed, as compensation for his services in relation to the said claims, at the rate of fifteen hundred dollars a year; and each of the clerks at the rate of one thousand dollars a year: *Provided,* That not more than eighteen months' compensation be thus allowed to the commissioner and clerk for the district east of Pearl river; nor more than two years' compensation be allowed to the commissioner and clerk for the district west of Pearl river; and the commissioner for the eastern district, on making his report to the secretary of the treasury, as aforesaid, shall be entitled to receive, in addition, seven hundred and fifty dollars, and his clerk five hundred dollars; and the commissioner for the western district, on making his report aforesaid, shall receive one thousand dollars, and his clerk seven hundred and fifty dollars; and the said allowances shall be in full for their services under this act. [*Approved, April 25, 1812.*]

**CHAP. 391. [LXVIII.]** An act for the establishment of a general land office in the department of the treasury.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That there shall be established in the department of the treasury an office, to be denominated the general land office; the chief officer of which shall be called the commissioner of the general land office, whose duty it shall be, under the direction of the head of the department, to superintend, execute, and perform, all such acts and things, touching or respecting the public lands of the United States, and other lands patented or granted by the United States, as have heretofore been directed by law to be done

A general land office to be established in the treasury department, &c.

Duties of the commissioner, &c.

or performed in the office of the secretary of state, of the secretary and register of the treasury, and of the secretary of war, or which shall hereafter by law be assigned to the said office.

**SECT. 2.** *And be it further enacted,* That there shall be in the said office an inferior officer, to be appointed by the said principal officer, to be employed therein as he shall deem proper, and to be called the chief clerk of the general land office, who, in all cases, when the said principal office shall become vacant, during such vacancy, shall have the charge and custody of the seal, and of all records, books, and papers, belonging to the said office.

**SECT. 3.** *And be it further enacted,* That the said principal officer, and every other person to be appointed and employed in the said office, shall, before he enters on the duties of his office or appointment, take an oath or affirmation, *truly and faithfully to execute the trust committed to him.*

**SECT. 4.** *And be it further enacted,* That the said commissioner shall cause a seal of office to be made and provided for the said office, with such device as the president of the United States shall approve; and copies of any records, books, or papers, belonging to the said office, under the signature of the said commissioner, or, when the office shall be vacant, under the signature of the chief clerk, and the said seal, shall be competent evidence in all cases in which the original records, books, or papers, could be evidence.

**SECT. 5.** *And be it further enacted,* That the said commissioner shall, forthwith after his appointment, be entitled to the custody, and shall take charge of the said seal, and also of all records, books, and papers, remaining in the offices of the secretary of state, of the secretary and register of the treasury, and of the secretary of war, touching or concerning the public lands of the United States; and the said records, books, and papers, shall become, and be deemed, the records, books, and papers, of the said office.

**SECT. 6.** *And be it further enacted,* That the said commissioner shall, when required by the president of the United States, or either house of congress, make a plat of any land surveyed under the authority of the United States, and give such information respecting the public lands, and concerning the business of his office, as shall be directed.

**SECT. 7.** *And be it further enacted,* That in all cases in which land has heretofore, or shall hereafter, be given by the United States for military services, warrants shall be granted to the parties entitled to such land by the secretary of war; and such warrants shall be recorded in the said land office, in books to be kept for the purpose, and shall be located as is or may be provided by law; and patents shall afterwards be issued accordingly.

**SECT. 8.** *And be it further enacted,* That all patents issuing from the said office shall be issued in the name of the United States, and under the seal of the said office, and be signed by the president of the United States, and countersigned by the commissioner of the said office, and shall be recorded in the said office, in books to be kept for the purpose.

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Chief clerk to be appointed: his duties, &c.

Oath of office to be taken by all persons employed, &c.

The commissioner to cause a seal to be provided, &c.

Copies of records, &c. under signature and seal, to be competent evidence, &c.

The commissioner entitled to the custody of the seal, records, &c. remaining in the office of the secretary of state, &c. concerning the public lands, &c.

The commissioner, when required, &c. to make a plat of any land surveyed, and give information, &c.

In cases where land is given for military services, warrants to be granted by the secretary of war, to be recorded in the land office, &c.

Patents to be issued in the name of the United States, under the seal of the land office, signed, &c.

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Mr. Tarns Related to public lands to be made to the commissioner, &c. who is to audit and settle accounts, &c. *Provided*, the commissioner to certify balances and transmit accounts, &c. to the comptroller, &c.

No person appointed to office under this act, to be engaged, directly or indirectly, in the purchase of public lands, &c. under penalty of 100 dolls. and removal.

The commissioner to be appointed by the president and senate.

His salary equal to that of the auditor, &c. [*See* chap. 366, vol. 3.]

The commissioner to have the same privilege as the comptroller, with respect to letters, &c. free of postage. [*See* sec. 94, ch. 363, ante.]

The commissioner may employ clerks; their annual compensation not to exceed 7,000 dolls. &c.

**SECT. 9.** *And be it further enacted*, That all returns relative to the public lands, heretofore directed to be made to the secretary of the treasury, shall hereafter be made to the said commissioner, who shall have power to audit and settle all public accounts relative to the public lands: *Provided*, That it shall be the duty of the said commissioner, upon the settlement of any such account, to certify the balance, and transmit the account, with the vouchers and certificate, to the comptroller of the treasury, for his examination and decision thereon.

**SECT. 10.** *And be it further enacted*, That no person appointed to an office instituted by this act, or employed in any such office, shall, directly or indirectly, be concerned in the purchase of any right, title, or interest, in any public land, either in his own right, or in trust for any other person, or in the name or right of any other person in trust for himself, nor shall take or receive any fee or emolument for negotiating or transacting the business of the office. And any person offending in the premises against the prohibitions of this act, shall forfeit and pay one hundred dollars; and, upon conviction, shall be removed from office.

**SECT. 11.** *And be it further enacted*, That the commissioner of the said land office shall be appointed by the president of the United States, by and with the advice and consent of the senate; and shall receive an annual salary, equal to the salary of the auditor of the treasury,\* payable quarterly; and the sum of two thousand two hundred and fifty dollars is hereby appropriated for the said compensation during the year one thousand eight hundred and twelve, to be paid out of any moneys in the treasury, not otherwise appropriated: And the said commissioner shall have the same privilege with the comptroller of the treasury,† of sending and receiving letters and packages, and also find certificates and patents for land, free of postage.

**SECT. 12.** *And be it further enacted*, That the commissioner of the land office shall be authorized to employ a sufficient number of clerks: *Provided*, That their annual compensation shall not exceed, in the whole, seven thousand dollars; and the said compensation shall be paid in the following manner, during the year one thousand eight hundred and twelve; that is to say: Three thousand eight hundred dollars shall be paid, out of the moneys appropriated for the compensation of clerks, during said year, in the office of the secretary of the treasury; one thousand four hundred dollars shall be paid out of the moneys appropriated for the compensation of clerks, during said year, in the office of the secretary of state; and three hundred dollars shall be paid out of the moneys appropriated for the compensation of clerks, during said year, in the office of the secretary of war.

[*Approved, April 25, 1812.*]

**CHAP. 392. [LXIX.]** An act to revive, and continue in force, "An act to provide for persons who were disabled by known wounds received in the revolutionary war," and for other purposes." 1812.

[See orig. act, of 10th April, 1806; ante, chap. 26.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war,"† passed on the tenth of April, one thousand eight hundred and six, shall be, and the same is hereby, revived, and continued in force for and during the space of six years from the passage of this act, and from thence to the end of the next session of congress thereafter, and no longer.

The act to provide for persons who were disabled by known wounds received in the revolutionary war revived and continued for six years, &c.  
[†Ante, ch. 26.]

**SECT. 2.** *And be it further enacted,* That the agents for the payment of invalid pensioners of the United States shall, in future, be required to give bond with two or more sureties, to be approved by the secretary for the department of war, in a sum not exceeding five thousand dollars, for the faithful discharge of the duties confided to them, respectively.

Agents for the payment of invalid pensioners in future to give bond, &c.

[Approved, April 25, 1812.]

**CHAP. 393. [LXX.]** An act authorizing the departure of ships and vessels from the ports and harbors of the United States, in certain cases.†

[† Obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That any ship or vessel which heretofore has been, or which hereafter may be, chartered and laden on account of the government of the United States, shall be permitted to depart from the ports and harbors of the United States, and the territories thereof, any thing in any former law to the contrary notwithstanding.

Vessels chartered and laden on account of the government of the United States to be permitted to depart, &c.

[Approved, April 27, 1812.]

**CHAP. 394. [LXXI.]** An act authorizing the appointment of an additional judge of the district court for the district of New York.‡

[§See act of 9th April, 1814; ch. 637, post.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the district court in the New York district shall consist of two judges, to wit: of the present judge of said district, so long as he shall continue in office, and such other district judge or judges, as may, from time to time, be appointed, who shall reside in said district, and, severally, exercise like powers, as may be exercised by the present judge of said district, and receive the same compensation whereto he is entitled.

The district court in New York district to consist of two judges, as specified, &c.

**SECT. 2.** *And be it further enacted,* That the senior judge of the district, when present, shall preside in said district court, and whenever the judges shall differ in opinion in any cause, the order or judgment of court in every such case shall be made and rendered in conformity with the opinion of the presiding judge. And said court may be held, and the business thereof proceeded

The senior judge to preside; and, in case of difference, his opinion to prevail.

The court may be held by one judge, &c.



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The senior judge, together with a justice of the supreme court, is to compose the circuit court, but, &c.

with, by one judge in the absence of the other. And the senior judge of the district for the time being is hereby designated, and is to be deemed, the district judge, who, together with one of the justices of the supreme court, is to compose the circuit court of the United States in said district; but, in the absence of said senior judge from said court, his place may be supplied by the other judge of the district.

Four additional sessions annually of the district court for New York, as specified, &c.

[\* Altered. See act of 3d March, 1813; chap. 510, post.]

A clerk to be appointed by the district judges, to reside at Utica, &c.

[\* See chap. 126, vol. 3.]

SECT. 3. *And be it further enacted*, That there shall be held, annually, four additional sessions of the district court for the district of New York; to wit: at Utica, on the first Tuesdays of April and October;\* at Geneva, on the third Tuesday of September; and at Salem, on the third Tuesday of October. A clerk shall be appointed by the district judges of said district, who shall reside at Utica, and attend said court at the places aforesaid, and do all the duties of said office of clerk, which may accrue at or from the sessions of the court at said places, both in and out of court, and be allowed the same fees and compensation as by law is allowed to clerks of the district courts.† The said judges may allot themselves as they shall think fit, for the purpose of their holding, separately, the several stated and special courts to be held by virtue of this or any other act for the district of New York. [*Approved, April 29, 1812.*]

[† See the note at the end of ch. 760, post.]

CHAP. 395. [LXXII.] An act making further provision for the corps of engineers.‡

Officers to be added to the corps of engineers.

A company of bombardiers, sappers, and miners, to be formed, to be officered from the corps of engineers, &c.

Noncommissioned officers, artificers, &c. allowed the same pay, &c. as in the regiment of artillery. The military academy to consist of the corps of engineers, and, in addition to the teachers of French and

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That there be added to the corps of engineers two captains, two first lieutenants, two second lieutenants, with the usual pay and emoluments, according to their grades, respectively, and one paymaster, to be taken from the subalterns of engineers, with the pay and emoluments of a regimental paymaster; and that there be attached to the said corps, either from the troops now in service, or by new enlistments, as the president of the United States may direct, four sergeants, four corporals, one teacher of music, four musicians, nineteen artificers, and sixty-two men, which noncommissioned officers, musicians, artificers, and men, together with the artificers and men already belonging to the corps of engineers, shall be formed into a company, to be stiled a company of bombardiers, sappers, and miners, and be officered from the corps of engineers, according as the commanding officer of that corps may, with the approbation of the president of the United States, direct; and the said noncommissioned officers, musicians, artificers, and men, shall be allowed the same pay and emoluments as are allowed to the noncommissioned officers, musicians, artificers, and men, in the regiment of artillery.

SECT. 2. *And be it further enacted*, That the military academy shall consist of the corps of engineers, and the following professors, in addition to the teachers of the French language and drawing already provided, viz: one professor of natural and ex-

perimental philosophy, with the pay and emoluments of lieutenant colonel, if not an officer of the corps, and, if taken from the corps, then so much in addition to his pay and emoluments as shall equal those of a lieutenant colonel; one professor of mathematics, with the pay and emoluments of a major, if not an officer of the corps, and, if taken from the corps, then so much in addition to his pay and emoluments as shall equal those of a major; one professor of the art of engineering in all its branches, with the pay and emoluments of a major, if not an officer of the corps, and, if taken from the corps, then so much in addition to his pay and emoluments as shall equal those of a major; each of the foregoing professors to have an assistant professor, which assistant professor shall be taken from the most prominent characters of the officers or cadets, and receive the pay and emoluments of captains, and no other pay or emoluments, while performing these duties: *Provided*, That nothing herein contained shall entitle the academical staff, as such, to any command in the army separate from the academy.

SECT. 3. *And be it further enacted*, That the cadets, heretofore appointed in the service of the United States, whether of artillery, cavalry, riflemen, or infantry, or that may in future be appointed as hereinafter provided, shall at no time exceed two hundred and fifty: that they may be attached, at the discretion of the president of the United States, as students to the military academy, and be subject to the established regulations thereof; that they shall be arranged into companies of noncommissioned officers and privates, according to the directions of the commandant of engineers, and be officered from the said corps, for the purposes of military instruction; that there shall be added to each company of cadets four musicians; and the said corps shall be trained and taught all the duties of a private, noncommissioned officer, and officer; be encamped at least three months of each year, and taught all the duties incident to a regular camp; that the candidates for cadets be not under the age of fourteen, nor above the age of twenty-one years; that each cadet, previously to his appointment by the president of the United States, shall be well versed in reading, writing, and arithmetic, and that he shall sign articles, with the consent of his parent or guardian, by which he shall engage to serve five years, unless sooner discharged; and all such cadets shall be entitled to and receive the pay and emoluments now allowed by law to cadets in the corps of engineers.

SECT. 4. *And be it further enacted*, That when any cadet shall receive a regular degree from the academical staff, after going through all the classes, he shall be considered as among the candidates for a commission in any corps, according to the duties he may be judged competent to perform; and in case there shall not, at the time, be a vacancy in such corps, he may be attached to it at the discretion of the president of the United States, by brevet of the lowest grade, as a supernumerary officer, with the usual pay and emoluments of such grade, until a vacancy shall happen: *Provided*, That there shall not be more than one supernumerary officer to any one company at the same time.

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drawing, of a professor of natural and experimental philosophy, a professor of mathematics, a professor of the art of engineering, with assistant professors, &c.

*Provido*; nothing herein to entitle the academical staff to any command in the army, separate, &c.  
The cadets not to exceed 250.

Regulations, concerning the organization, discipline, age, qualifications, and term of service, of cadets.

When a cadet receives a regular degree, &c., he is to be considered as among the candidates for a commission, &c. and when there is no vacancy in a corps, he may be attached to it as a supernumerary officer, &c.  
*Provido*; not more than one supernumerary officer to one company.

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\$2,000 dolls. appropriated for erecting buildings, providing apparatus, a library, &c.

So much of the 26th sec. of the act fixing the military peace establishment as confines the selection of the commander, &c. to the corps of engineers, repealed.

SECT. 5. *And be it further enacted*, That the sum of twenty-five thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated, for erecting buildings, and for providing an apparatus, a library, and all necessary implements, and for such contingent expenses as may be necessary and proper, in the judgment of the president of the United States, for such an institution.

SECT. 6. *And be it further enacted*, That so much of the twenty-sixth section of the act, entitled "An act fixing the military peace establishment," passed the sixteenth day of March, one thousand eight hundred and two, as confines the selection of the commander of the corps of engineers to the said corps, be, and the same is hereby, repealed. [*Approved, April 29, 1812.*]

CHAP. 396. [LXXIII.] An act granting to the governor of the state of Louisiana, for the time being, and his successors in office, a lot of ground and the buildings thereon, in the city of New Orleans.

The right of the United States to a lot of ground, as described, and the government house, &c. thereon, vested in the governor of Louisiana, &c. for the use and benefit of the state.

Proviso; this act not to affect the claims of individuals, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all the right and claim of the United States to the use, possession, and occupancy of a space, of three hundred and thirty-six by two hundred and twenty feet, of a lot of ground in the city of New Orleans, bounded by Chartres and Levee streets, and by Thoulouse street, and the lot of the widow Castillon, together with the house on the above described lot, known by the name of the government house, and the other buildings thereon, be, and the same are hereby, vested in, and conveyed to, the governor of the state of Louisiana for the time being, and his successors in the same office, for the sole use and benefit of the said state of Louisiana, forever: *Provided, however*, That this act shall not affect the claim or claims of any individual or individuals, if any such there be. [*Approved, April 29, 1812.*]

[\*Private and obsolete.]

CHAP. 397. [LXXIV.] An act for the relief of Charles Minifie.\*

The comptroller of the treasury required to settle the account of Charles Minifie, for a cargo of masts, &c. and to allow him an additional sum, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the comptroller of the treasury be, and he is hereby, authorized and required to settle the account of Charles Minifie, for a cargo of masts, yards, bowsprits, spars, and other ship building materials, delivered by him at the navy yard in Washington, for the public service, in the month of April, one thousand eight hundred and three; and if, in his judgment, the said Charles Minifie has not heretofore received a just and adequate compensation therefor, he allow the said Charles Minifie such additional sum as he may deem just and equitable. [*Approved, May 1, 1812.*]

CHAP. 398. [LXXV.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 399. [LXXVI.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

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CHAP. 400. [LXXVII.] An act to provide for designating, surveying, and granting, the military bounty lands.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to cause to be surveyed a quantity of the public lands of the United States, fit for cultivation, not otherwise appropriated, and to which the Indian title is extinguished, not exceeding, in the whole, six millions of acres; two millions to be surveyed in the territory of Michigan, two millions in the Illinois territory, north of the Illinois river, and two millions in the territory of Louisiana, between the river St. Francis and the river Arkansas; the said lands to be divided into townships, and subdivided into sections and quarter sections, (each quarter section to contain, as near as possible, one hundred and sixty acres,) in the manner prescribed by law for surveying and subdividing the other public lands of the United States, the same price to be allowed for surveying as is fixed for surveying the other public lands in the same territory. And the lands thus surveyed, with the exception of the salt springs and lead mines therein, and of the quantities of land adjacent thereto, as may be reserved for the use of the same by the president of the United States, and the section number sixteen in every township, to be granted to the inhabitants of such township for the use of public schools, shall be set apart and reserved for the purpose of satisfying the bounties of one hundred and sixty acres, promised to the noncommissioned officers and soldiers of the United States, their heirs and legal representatives, by the act, entitled "An act for completing the existing military establishment,"\* approved the twenty-fourth day of December, one thousand eight hundred and eleven, and by the act, entitled "An act to raise an additional military force,"† approved the eleventh day of January, one thousand eight hundred and twelve.‡

The president to cause to be surveyed not exceeding 6,000,000 of acres of public land, &c.

2,000,000 in each of the territories of Michigan, Illinois, and Louisiana, (Missouri.) The lands to be divided into townships, and subdivided, &c.

The lands surveyed, with the exceptions mentioned, to be set apart for satisfying the bounties of 160 acres promised to non-commissioned officers and soldiers, &c. by the acts mentioned.

[\*Ante, ch. 333.]

[†Ante, ch. 337.]

[‡See sec. 4, ch. 657, post.]

SECT. 2. *And be it further enacted,* That the secretary of the department of war, for the time being, shall, from time to time, issue warrants for the military land bounties to the persons entitled thereto by the two last mentioned acts, or either of them: *Provided always,* That such warrants shall be issued only in the names of the persons thus entitled, and be, by them or their representatives, applied for within five years after the same persons shall have become entitled thereto; and the said warrants shall not be assignable or transferrable in any manner whatever.

The secretary of war to issue warrants for the military land bounties, &c.

Provido; the warrants to be issued in the names of the persons entitled, to be applied for within five years, and not assignable, &c. Persons in whose favor warrants have issued, on delivering them at the general land office, to be entitled to draw, by lot, one of the quarter sections, &c. in either of the territories,

SECT. 3. *And be it further enacted,* That every person in whose favor such warrants shall have been issued, shall, on delivery of the same at the office of the secretary of the treasury, or of such other officer as may at the time have, by law, the superintendence of the general land office of the United States at the seat of government, be entitled to draw, by lot, in such manner as the

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and a patent to be granted without fee.

officer at the head of the land office, under the direction of the president of the United States, may prescribe, one of the quarter sections surveyed by virtue of the first section of this act, in either of the said territories which the person in whose favor such warrant has issued may designate. And a patent shall thereupon be granted to such person, for such quarter section, without requiring any fee therefor.

No claim for military land bounties assignable, &c., until after a patent, &c.  
All sales, mortgages, contracts, &c., made prior to granting a patent, with intent to alienate, &c., any claim to military land bounties, &c., declared null and void, &c.

SECT. 4. *And be it further enacted*, That no claim for the military land bounties aforesaid shall be assignable or transferrable in any manner whatever, until after a patent shall have been granted in the manner aforesaid. All sales, mortgages, contracts, or agreements, of any nature whatever, made prior thereto, for the purpose, or with intent, of alienating, pledging, or mortgaging, any such claim, are hereby declared, and shall be held, null and void; nor shall any tract of land, granted as aforesaid, be liable to be taken in execution or sold on account of any such sale, mortgage, contract, or agreement, or on account of any debt contracted prior to the date of the patent, either by the person originally entitled to the land, or by his heirs or legal representatives, or by virtue of any process, or suit at law, or judgment of court, against a person entitled to receive his patent as aforesaid.

[Approved, May 6, 1812.]

CHAP. 401. [LXXVIII.] An act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio.\*

\*See act of 14th Feb. 1815; chap. 786, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in addition to the unexpended balance of the sum heretofore appropriated for laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio, the sum of thirty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated, and to be expended, under the direction of the president of the United States, in making said road between Cumberland, in the state of Maryland, and Brownsville, in the state of Pennsylvania, commencing at Cumberland; which sum of thirty thousand dollars shall be paid out of the fund reserved for laying out and making roads to the state of Ohio, by virtue of the seventh section of an act, passed on the thirtieth day of April, one thousand eight hundred and two, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the union, on an equal footing with the original states, and for other purposes."†

30,000 dolls. additional appropriated for laying out and making the road from Cumberland to Ohio betw en Cumberland and Brownsville, &c.

The 30,000 dolls. to be paid out of the fund reserved for laying out and making roads to the state of Ohio by the 7th sec. of the act mentioned.

[†Ch. 300, vol. 3.]

[Approved, May 6, 1812.]

[†Obsolete.]

CHAP. 402. [LXXIX.] An act for the relief of the citizens of Venezuela.‡

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That

the president of the United States be, and he is hereby, authorized to cause to be purchased such provisions as he shall deem advisable, and to tender the same, in the name of the government of the United States, to that of Venezuela, for the relief of the citizens who have suffered by the late earthquake.

SECT. 2. *And be it further enacted*, That a sum, not exceeding fifty thousand dollars, be, and the same is hereby, appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated, to carry into operation this act.

[Approved, May 8, 1812.]

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The president authorized to cause provisions to be purchased, and tendered, &c. to the government of Venezuela, for the relief of the citizens who have suffered by the earthquake. Not exceeding \$50,000 dollars, appropriated to carry this act into effect.

CHAP. 403. [LXXX.] An act to alter and establish certain post roads.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the following post routes be discontinued:

The post routes mentioned, to be discontinued

From Jacksonborough, in South Carolina, by Barnwell Courthouse, to Augusta, in Georgia.

From Rahway to New Providence; and

From Baskenridge to Somerset, in New Jersey.

From Fort Stoddert to Natchez, in the Mississippi territory.

From Galliopolis to Chilicothe, in Ohio.

From Salisbury to Lincolnton, in North Carolina.

From Peytonsburg to Danville.

From Salisbury, by Andover, New Chester, and Bridgewater, to Plymouth; thence, by Holderness, Hew Hampton, and Sandbornton, to Salisbury, in New Hampshire.

From Baltimore, by Queenstown, to Centreville, in Maryland.

From Buchanan to Beverly, in Virginia.

SECT. 2. *And be it further enacted*, That the following post roads be established:

The post roads mentioned, established.

*In New Hampshire.* From Hopkinton, through Warner, Bradford, Fishersfield, Wendell, and Newport, to Cornish, in the county of Cheshire.

In New Hampshire.

From Concord, in the county of Rockingham, through Weare, Dearing, Hancock, and Packersfield, to Keene, in the county of Cheshire.

From Gilmanton to Meredith.

From Concord, by Loudon, Gilmanton, Meredith, and New Holderness, to Plymouth; thence, by New Hampton, Sandbornton, Northfield, and Centerbury, to Concord.\*

*Massachusetts.* From Blue Hill to Sedgwick.

From Kennebunk to Arundel.

From Readfield, by Fayette, to Livermore.

*Rhode Island.* From Providence, through Gloucester, to Pomfret, in the state of Connecticut.

(\* Discontinued. See sec. 1, chap. 781, post.) In Massachusetts.

*Connecticut.* From Canton, in Hartford county, by New Hartford and Torrington, to Goshen, in Litchfield county.

From Hartford, through Bristol, Plymouth, Watertown, Woodbury, Southbury, and Newtown, to Danbury.

*New York.* From Jamaica, through the Alley, and by the

In New York.

**1812.** head of Cow Neck, to Hempstead Harbor, and, through Oyster Bay, to Huntington. This is declared to be an alteration of the existing post route.

From Tripp's Hill, by Montgomery Courthouse, to Sheldon's, in the county of Oneida.

From Madison, by Cazenovia, to Manlius.

From Rome, through Constantia and Mexico, to Oswego.

From Kinderhook, in New York, by Spencer town, to West Stockbridge, in Massachusetts.

*In New Jersey.* *New Jersey.* From Morristown to Easton, in Pennsylvania. From Scotch Plains to New Providence.

From Salem, by Hancock's Bridge, and New Canton, to Greenwich, in Cumberland county.

*In Pennsylvania.* *Pennsylvania.* From Bedford, by Stoystown, and Ligoniers, to Greensburg.

From Pittsburg, by Baldwin's Mills, Steubenville, and Cadiz, to Cambridge, in the state of Ohio.

From Quakertown, by Saucona, to Northampton.

From Belfont, by the counties of Clearfield and Jefferson, to Venango.

From Bear Gap, by Danville, to Washington.

From New Alexandria to Pittsburg.

From Greensburg to New Castle, in the county of Mercer.

*In Ohio.* *Ohio.* From New Lisbon, by Wayne Courthouse, Richland Courthouse, and Knox Courthouse, returning by Coshocton Courthouse, and Canton, to New Lisbon.

From Chillicothe, by Fayette Courthouse, Green Courthouse, and Dayton, to Easton; returning from Green Courthouse, by Clinton Courthouse, and Greenfield, to Chillicothe.

From Urbana to Springfield.

From Galliopolis to Athens, in Ohio.

From Huron to Danbury.

*In Maryland.* *Maryland.* From Princess Ann to the corner where the roads from the Point and Pocomoke intersect.

From Annapolis, by Broad Creek, in Kent Island, and Queenstown, to Centreville.

*In Virginia.* *Virginia.* From Dunkirk to New Kent Courthouse.

From Front Royal to Waynesborough.

The post road from Stannardsville, in Orange county, to Port Republican, in Rockingham, is declared to be altered so as to pass over the South Mountain at Brown's turnpike on the same.

From Paris, in Fauquier county, to Gibson's store.

From Staunton, by Pendleton Courthouse, to Beverly.

From Halifax Courthouse to Danville, and from Beverly to Clarksburg.

*In Kentucky.* *Kentucky.* From Washington, by Flemingsburg, to Mount Sterling.\*

[\*See sec. 1, ch. 663, post.]

From Grayson to Butler Courthouse.

From Russellville to Isbellville, in Christian county.

From Nicholasville, by the mouth of Hickman and Bellisses Mill, to Danville, Kentucky.

*In Tennessee.* *Tennessee.* From Carthage to New Glasgow, in Kentucky.

From Hopkinsville, in Kentucky, to Clarksville, in Tennessee; and from thence, by Dickson Courthouse, and M'Allister's Cross Roads, to Columbia, in Tennessee. 1812.

*North Carolina.* From Charlotte, by Beattysford, Lincolnton,\* and Morgan, to Wilkesboro', and to pass by Mountmorris once in every two routes. In North Carolina. ("Discontinued. See sec. 1, chap. 663, post.")

From Statesville to Salisbury.

The mail from Fayetteville to Salisbury shall go by Rockingham, Wardesboro', Allentown, and Henderson, to Salisbury, and return by M'Cauley's store, to Fayetteville.

*South Carolina.* From Charleston, by Giveham's Ferry, on Edisto river; and from thence to Barnwell Courthouse, and, by the White Ponds, to Edgefield Courthouse. In South Carolina.

From Wellington to Beckley's store, being an alteration of the present route past Vienna.

From Coosawhatchie, by Lower Three Runs, to Augusta, in Georgia.

From Darlington Courthouse to Sumpter Courthouse, by Carter's Crossing.

*Georgia.* From Savannah to Louisville.

From Milledgeville, by Twigs Courthouse, to Pulaski Courthouse. In Georgia.

From Augusta to Campbelltown.

From Louisville to Saundersville.

*Mississippi Territory.* From Fort Stoddert, by Amite Courthouse, to Pinckneyville. In the Mississippi territory.

From Natchez, by Wilkinson Courthouse, to lake Ponchartrain.

*Indiana Territory.* From Laurenceburg, by Madison and Charlestown, to Jeffersonville. In the Indiana territory.

From Laurenceburg, by Franklin Courthouse, to Wayne Courthouse.

SECT. 3. *And be it further enacted,* That the postmaster general cause a survey to be made of the main post road from Robinstown, in the district of Maine, to St. Mary's, in Georgia, causing the courses, distances, and all remarkable objects to be noted, the latitude to be taken every noon and evening, and the variation of the compass every evening, when the weather is fair: and that there be not less than one surveyor, two chain carriers, and two men with object staves, employed in making the same survey, who shall be sworn to execute the work: *Provided,* That the same can be done at an expense not exceeding two dollars per mile. And the postmaster general is hereby authorized to procure proper instruments for the purpose: *Provided,* That the expense do not exceed three hundred dollars: And the expense both of the surveys and instruments be paid out of the moneys which may be in his hands for postage.

The postmaster general to cause a survey to be made of the main post road from Robinstown, in Maine, to St. Mary's, in Georgia, &c.

Proviso: the expense not to exceed 2 dolls. per mile, &c.

Proviso: the expense of instruments not to exceed 300 dolls.

[Approved, May 11, 1812.]

CHAP. 404. [LXXXI.] An act for the relief of John Thompson.†

[† Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That



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\$9,000 dolls. appropriated for defraying the expenses that may be incurred under this act, &c.

SECT. 10. *And be it further enacted, That, for defraying the expense that may be incurred in the execution of this act, the sum of twenty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated.* [Approved, May 14, 1812.]

[\* For the original boundaries, see act of 7th April, 1798; ch. 45, vol. 3.]

All that portion of territory lying east of Pearl river, west of the Perdido, &c. annexed to the Mississippi territory, and to be governed by the laws and ordinances in force therein. The inhabitants of the district annexed to be entitled to one representative, &c.

CHAP. 407. [LXXXIV.] An act to enlarge the boundaries of the Mississippi territory.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That all that portion of territory lying east of Pearl river, west of the Perdido, and south of the thirty-first degree of latitude, be, and the same is hereby, annexed to the Mississippi territory, to be governed by the laws now in force therein, or which may hereafter be enacted, and the laws and ordinances of the United States, relative thereto, in like manner as if the same had originally formed a part of said territory; and, until otherwise provided by law, the inhabitants of the said district hereby annexed to the Mississippi territory shall be entitled to one representative in the general assembly thereof.* [Approved, May 14, 1812.]

[† Obsolete.]

CHAP. 408. [LXXXV.] An act making additional appropriations for the support of government for the year one thousand eight hundred and twelve.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That, in addition to the sums appropriated by the act making appropriations for the support of government for the year one thousand eight hundred and twelve,† the following sums be, and the same are hereby, respectively, appropriated; that is to say:*

Additional sums appropriated for the support of government for the year 1813. [† See ante, ch. 356.]

For defraying the expenses of printing the subscription certificates, &c. to the loan of \$1,000,000 of dolla. &c. [† It ought to be 14th of March, 1813: see ante, chap. 364.]

For defraying the expenses of printing the subscription certificates, and issuing the same to the subscribers to the loan of eleven millions of dollars, authorized by the act of congress passed on the fourth day of March, one thousand eight hundred and twelve,§ including cost of paper and other expenses incident to the receiving of the subscriptions; also for cost of paper, and printing of the certificates, of funded six per cent. stock, to be issued for the amount of the said loan, and other expenses attending the funding of the same, five thousand dollars.

For the expenses of making a digest of the manufactures of the United States, &c.

[† See Resolution No. 2, post.] Additional, for compensation to the marshals, &c. for taking an account of manufactures, &c. [† See ante, ch. 351.]

For the expense of firewood, &c. for congress, &c.

For the expenses of making a digest of the manufactures of the United States, under the joint resolution of both houses of congress, passed at the present session, two thousand dollars.¶

For compensation to the marshals and assistant marshals for taking an account of the manufactures of the United States, in addition to the sum heretofore appropriated for that purpose,¶ forty thousand dollars.

For the expense of firewood, stationery, printing, and other contingent expenses, of the two houses of congress, in addition

to the sum heretofore appropriated for that purpose, eight thousand eight hundred dollars. 1812.

For paying Aaron Greely, assistant surveyor in the district of Detroit, for surveying private claims in the Michigan territory, pursuant to an act of congress, passed the twenty-fourth day of April, one thousand eight hundred and twelve,\* five thousand five hundred sixty-five dollars and ninety-three cents.

SECT. 2. *And be it further enacted*, That the several sums thus appropriated shall be paid out of any moneys in the treasury, not otherwise appropriated. [*Approved, May 16, 1812.*]

For paying Aaron Greely, assistant surveyor in the district of Detroit, for surveying private claims in the Michigan territory, &c. [Anto. ch. 388.] The sums appropriated to be paid out of unappropriated moneys in the treasury.

CHAP. 409. [LXXXVI.] An act making further provision for the army of the United States.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he hereby is, authorized and empowered to appoint so many district paymasters as, in his judgment, the service may require; and if such paymasters are taken from the line of the army, they shall, respectively, receive thirty dollars per month, in addition to their pay in the line: *Provided*, The same shall in no case exceed the pay and emoluments of a major; and if not taken from the line, they shall receive the same pay and emoluments as a major of infantry.

[† See the note at the end of chap. 760, post.]

The president empowered to appoint as many district paymasters as the service may require, &c.

Proviso; the pay of a district paymaster not to exceed that of a major, &c.

SECT. 2. *And be it further enacted*, That the president of the United States be, and he hereby is, authorized and empowered to appoint a paymaster to each regiment on the peace establishment, who shall receive the same pay and emoluments as a captain of the regiment to which he belongs: *Provided*, That all district and regimental paymasters shall be subject to the rules and articles of war, and give such bonds to the United States as the secretary for the department of war may direct, for the faithful performance of their duties. And it shall be the duty of the commanding officer, when requested by the paymaster, to furnish a capable noncommissioned officer or soldier to aid him in the discharge of his duty, who, while so employed, shall receive double pay.

The president authorized to appoint a paymaster to each regiment on the peace establishment, &c.

Proviso; district and regimental paymasters subject to the rules and articles of war; to give bonds, &c. The commanding officer to furnish a soldier, &c. to aid the paymaster, &c.

SECT. 3. *And be it further enacted*, That the president of the United States be, and he hereby is, authorized to appoint, from the captains and subalterns of the line of the army, so many subinspectors as the service may require, not exceeding one to each brigade; and such subinspectors shall each receive twenty-four dollars per month in addition to his pay in the line.

The president authorized to appoint, &c. as many subinspectors as the service may require, &c. not exceeding, &c.

SECT. 4. *And be it further enacted*, That each brigade major, provided by law, shall be allowed twenty-four dollars per month in addition to his pay in the line.

Each brigade major, &c. allowed 24 dollars per month additional.

SECT. 5. *And be it further enacted*, That the general commanding the army of the United States shall be allowed a secretary, to be taken from the line of the army, who shall receive twenty-four dollars per month in addition to his pay in the line, and shall be allowed forage for two horses.

The general commanding the army, to be allowed a secretary, &c.

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Each company of light artillery entitled to 12 drivers, to be enlisted for five years, unless, &c. and liable to do duty in the ranks, when, &c.

So much of the act mentioned, as authorizes the infliction of corporal punishment by stripes or lashes, repealed. [*Ante*, ch. 30.]

SECT. 6. *And be it further enacted, That*, in addition to the noncommissioned officers and privates allowed to the regimen of light artillery, each company shall be entitled to twelve drivers of artillery, who shall be enlisted for five years, unless sooner discharged, and receive the same pay, rations, and clothing, as the privates of the army: *Provided*, Such drivers of artillery shall at all times, be liable to do duty in the ranks when the company shall not be mounted.

SECT. 7. *And be it further enacted, That* so much of the "Act for establishing rules and articles for the government of the armies of the United States,"\* as authorizes the infliction of corporal punishment by stripes or lashes, be, and the same hereby is, repealed. [*Approved, May 16, 1812.*]

CHAP. 410. [LXXXVII.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 411. [LXXXVIII.] An act to authorize the president of the United States to ascertain and designate certain boundaries.

The surveyor general, &c. required to cause to be surveyed, so much of the western and northern boundaries of the state of Ohio, &c. as divides the state from the territories of Indiana and Michigan, &c.

[† Chap. 300, vol. 3.] A plat or plan to be made of so much of the boundary line as runs from the southerly extreme of lake Michigan to lake Erie, &c. *Provided*, he whole expense of surveying and marking the boundary lines not to exceed five dollars for every mile, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the surveyor general, under the direction of the president of the United States, be, and he is hereby, authorized and required, (as soon as the consent of the Indians can be obtained,) to cause to be surveyed, marked, and designated, so much of the western and northern boundaries of the state of Ohio, which have not already been ascertained, as divides said state from the territories of Indiana and Michigan, agreeably to the boundaries as established by the act, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the union on an equal footing with the original states, and for other purposes,"† passed April thirtieth, one thousand eight hundred and two; and to cause to be made a plat or plan of so much of the boundary line as runs from the southerly extreme of lake Michigan to lake Erie, particularly noting the place where the said line intersects the margin of said lake, and to return the same, when made, to congress: *Provided*, That the whole expense of surveying and marking the said boundary line shall not exceed five dollars for every mile that shall be actually surveyed and marked, which shall be paid out of the money appropriated for defraying the expense of surveying the public lands. [*Approved, May 20, 1812.*]

[‡ Private and obsolete.]

The accounting officers of the treasury directed to settle the account of John

CHAP. 412. [LXXXIX.] An act for the relief of John N. Stout.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the accounting officers of the treasury department be, and the

are hereby directed to adjust and settle the account of John N. Stout, of Kentucky, and allow him the sum of eighty-seven dollars fifteen cents, for his fees and compensation as a gaoler, for committing, subeisting, and releasing, Archibald Hamilton, a prisoner of the United States. [Approved, May 20, 1812.]

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N. Stout, and al-  
low him \$7 doll.  
15 cts., &c. for  
committing, sub-  
eisting, &c.  
Archibald Ha-  
milton, &c.

CHAP. 413. [XC.] An act to extend the right of suffrage in the Illinois ter-  
ritory, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* upon the admission of the Illinois territory into the second grade of territorial government, in conformity with the provisions of the act, entitled "An act for dividing Indiana into two separate governments,"\* each and every free white male person who shall have attained the age of twenty-one years, and who shall have paid a county or territorial tax, and who shall have resided one year in said territory previous to any general election, and be, at the time of any such election, a resident thereof, shall be entitled to vote for members of the legislative council and house of representatives for the said territory.

Upon the admis-  
sion of Illinois  
into the second  
grade of territorial  
government, &c.  
every free  
white male of 21  
years, who has  
paid taxes, and  
resided a year,  
&c. entitled to  
vote for mem-  
bers of the leg-  
islative council  
and house of re-  
presentatives,  
&c.  
[\* Ante, ch. 184.]

SECT. 2. *And be it further enacted, That* so soon as the governor of the said territory shall divide the same into five districts, the citizens thereof, entitled by this act to vote for representatives to the general assembly, shall, in each of the said districts, elect one member of the legislative council, who shall possess the same powers heretofore granted to the legislative council by the ordinance for the government of the Northwestern territory,† and shall hold their offices four years, and no longer, any thing in the ordinance to the contrary notwithstanding.

As soon as the  
governor of the  
territory divides  
it into five dis-  
tricts, the citi-  
zens, &c. to elect  
one member of  
the legislative  
council in each  
district, &c.  
[† See page 478,  
vol. 1.]

SECT. 3. *And be it further enacted, That* the citizens of the said territory, entitled to vote for members of the territorial legislature by this act, may, at the time of electing their representatives to the general assembly thereof, also elect one delegate to congress for the said territory, who shall possess the same powers heretofore granted to the delegates from the several territories of the United States.‡

The citizens en-  
titled to vote, &c.  
may, at the time,  
&c. elect one de-  
legate to con-  
gress, &c.

SECT. 4. *And be it further enacted, That* the sheriffs of the several counties which now are, or hereafter may be, established in the said territory, respectively, shall, within forty days next after an election for a delegate to congress, transmit to the secretary of the said territory a certified copy of the returns from the several districts or townships of their respective counties; and it shall be the duty of the governor, for the time being, to give, to the person having the greatest number of votes, a certificate of his election.

[‡ See chap. 305,  
vol. 3.]

The sheriffs of  
the counties,  
within 40 days  
after an election  
for a delegate to  
congress, to  
transmit a cer-  
tified copy of re-  
turns, &c. and  
the governor to  
give a certifi-  
cate, &c.

SECT. 5. *And be it further enacted, That* each and every sheriff, in each and every county, that now is, or hereafter may be, established in said territory, who shall neglect or refuse to perform the duties required by this act, shall forfeit one thousand dollars, to be recovered, by an action of debt, in any court of

1,000 doll. for-  
feit by every  
sheriff who ne-  
glects or refuses  
to perform the  
duties required  
by this act, &c.

1812. record within the said territory; one-half to the use of the territory, and the other half to the use of the person suing for the same.

A moiety of the forfeiture to the person suing, &c.

The general assembly of the territory empowered to apportion the representatives of the several counties, &c.

Provido; not more than 12, nor less than 7, representatives, until there are 6,000 free male white inhabitants above 21, &c.

SECT. 6. *And be it further enacted*, That the general assembly of the said territory shall have power to apportion the representatives of the several counties which now are, or hereafter may be, established therein, according to the number of free white male inhabitants, above the age of twenty-one years, in such counties: *Provided*, That there be not more than twelve, nor less than seven, of the whole number of representatives, until there shall be six thousand free male white inhabitants, above the age of twenty-one years, in said territory, after which time the number of representatives shall be regulated agreeably to the ordinance for the government of the territory northwest of the river Ohio.\* [Approved, May 20, 1812.]

[\* See page 477, vol. 1.]

[† Private and obsolete.]

CHAP. 414. [XCI.] An act for the relief of Thomas and William Streshly.†

The accounting officers of the treasury directed to settle the accounts of Thomas Streshly and William Streshly, late collectors of the internal revenue, &c. by allowing credits, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the accounting officers of the treasury department be, and they are hereby, authorized and directed to settle the accounts of Thomas Streshly and William Streshly, respectively, late collectors of the internal revenue in the district of Ohio, by allowing to said Thomas such further credits for all accounts of uncollected revenue as he shall satisfactorily prove to have been delivered over by him to other collectors, and such sum as he shall appear to be entitled to for his attendance as a witness in behalf of the United States; carrying the balance, if any, which may appear due to said Thomas, to the credit of said William, in his account with the United States. [Approved, May 22, 1812.]

[1 See orig. act, of 28th March, 1813; ante, chap. 309.]

CHAP. 415. [XCII.] An act to amend an act, entitled "An act to establish a quartermaster's department, and for other purposes."‡

Neither the quartermaster nor commissary general, nor their deputies, &c. to be concerned for commercial purposes, in the purchase or sale of any article intended for their respective departments, &c. except, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That neither the quartermaster general, the commissary general, nor any or either of their deputies or assistant deputies, shall be concerned, directly or indirectly, in the purchase or sale, for commercial purposes, of any article intended for, making a part of, or appertaining to, their respective departments, except for, and on account of, the United States; nor shall they, or either of them, take or apply to his or their own use, any gain or emolument for negotiating or transacting any business in their respective departments, other than what is or may be allowed by law.

The quartermaster general empowered to appoint one principal barrackmaster, and as many

SECT. 2. *And be it further enacted*, That the quartermaster general be, and he is hereby, empowered to appoint, one principal barrackmaster, and as many deputy barrackmasters as may, from time to time, be necessary, not exceeding one to each se-

parate barrack or cantonment; which said principal barrackmaster shall be entitled to receive the same pay, rations, and emoluments, as the principal foragemaster; and each of his deputies, the same pay, rations, and emoluments, as is by law allowed to a deputy foragemaster.

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deputies as may be necessary, &c. not exceeding, &c.

SECT. 3. *And be it further enacted*, That, in addition to the allowance made to the quartermaster general and commissary general, respectively, in and by the act hereby amended,\* it shall and may be lawful for the secretary for the department of war for the time being, to allow to them, respectively, such sums as, in his opinion, shall have been actually and necessarily expended in their several departments for office rent, fuel, candles, and extra clerk hire.

The secretary of war may make an additional allowance to the quartermaster and commissary general for office rent, fuel, &c. [\*Anac, ch. 369.]

SECT. 4. *And be it further enacted*, That the quartermaster general, the deputy quartermasters, and the assistant deputy quartermasters, shall, before they, or either of them, enter upon the duties of their appointment, respectively enter into bond, with sufficient security, to be approved of by the secretary of war, conditioned for the faithful expenditure of all public moneys, and accounting for all public property, which may come to their hands, respectively; and the quartermaster general shall not be liable for any money or property that may come into the hands of the subordinate officers of his department.

The quartermaster general, deputies, &c. to enter into bond, &c.

The quartermaster general not liable for money, &c. that may come into the hands of subordinate officers, &c. The sixth sec. of the act amended, repealed. [Ante, ch. 369.]

SECT. 5. *And be it further enacted*, That the sixth section of the act hereby amended† be, and the same is hereby, repealed. [Approved, May 22, 1812.]

CHAP. 416. [XCIII.] An act supplementary to an act, entitled "An act for the admission of the state of Louisiana into the union, and to extend the laws of the United States to the said state."‡

[§ See orig. act, of 8th April, 1812; ante, chap. 373.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all causes, actions, indictments, libels, pleas, processes, and proceedings, whatsoever, returnable, commenced, depending, or in any manner existing, in the district court established in the territory of Orleans, in and by the act, entitled "An act erecting Louisiana into two territories, and providing for the temporary government thereof,"§ be, and the same are hereby, transferred to the district court established by the act to which this is a supplement,|| and may be proceeded in, shall exist, and have like incidents and effects, as if they had been originated, and been proceeded in, in the court established by the act to which this is a supplement.

All causes, actions, &c. depending, &c. in the district court in the territory of Orleans, established by the act erecting Louisiana into two territories, &c. transferred to the district court established by the act referred to, &c. [§ Ch. 391. vol 3.] [Ante, ch. 373.]

SECT. 2. *And be it further enacted*, That the dockets, books, records, papers, and seal, belonging to the said district court of the Orleans territory, shall be transferred to, and become the dockets, books, records, and papers, of the district court of the Louisiana district.

The dockets, books, &c. to become the dockets, books, &c. of the district court of Louisiana.

SECT. 3. *And be it further enacted*, That the eighth section of the act aforesaid, entitled "An act erecting Louisiana into two

The 8th sec. of the act referred to, and all acts

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~~within the pur-~~  
~~view of this act,~~  
~~repealed.~~  
 [Ch. 391, vol. 3.]

territories, and providing for the temporary government thereof,"\* and also all acts within the purview of this act, and the one to which this is a supplement, be, and the same are hereby, repealed. [Approved, May 22, 1812.]

[† Private and  
 obsolete.]

CHAP. 417. [XCIV.] An act for the relief of Ninian Pinkney.†

The secretary of  
 war directed to  
 allow to Ninian  
 Pinkney, a  
 captain. &c. in  
 the settlement  
 of his account,  
 743 dolla. 60  
 cents, for ser-  
 vices rendered  
 as brigade in-  
 spector, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the secretary of war be, and he is hereby, directed to allow to Ninian Pinkney, a captain in the army of the United States, in the settlement of his account, the sum of seven hundred and forty-three dollars and sixty cents, for services rendered as brigade inspector, from the twentieth of August, one thousand eight hundred and eight, to the thirty-first of May, one thousand eight hundred and ten. [Approved, May 28, 1812.]

CHAP. 418. [XCV.] An act providing for the government of the territory of Missouri.

The territory of  
 Louisiana to be  
 called Missouri,  
 &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the territory heretofore called Louisiana shall hereafter be called Missouri, and that the temporary government of the territory of Missouri shall be organized and administered in the manner hereinafter prescribed.

The executive  
 power to be vest-  
 ed in a governor:  
 his tenure of  
 office, powers,  
 and duties.

SECT. 2. *And be it further enacted, That* the executive power shall be vested in a governor, who shall reside in the said territory; he shall hold his office during the term of three years, unless sooner removed by the president of the United States; shall be commander in chief of the militia of the said territory; shall have power to appoint and commission all officers, civil and of the militia, whose appointments are not herein otherwise provided for, which shall be established by law; shall take care that the laws be faithfully executed; shall have power to grant pardons for offences against the said territory, and reprieves for those against the United States, until the decision of the president of the United States thereon shall be made known; shall have power, on extraordinary occasions, to convene the general assembly, and he shall, ex officio, be superintendent of Indian affairs.

Secretary, to re-  
 side in the ter-  
 ritory, &c.

Duty of the se-  
 cretary.

In case of a va-  
 cancy, the office  
 of governor to  
 be executed by  
 the secretary.

SECT. 3. *And be it further enacted, That* there shall be a secretary, whose commission shall continue in force for four years, unless sooner revoked by the president of the United States; he shall reside in the said territory; it shall be his duty, under the direction of the governor, to record and preserve all the proceedings and papers of the executive, and all the acts of the general assembly, and to transmit authentic copies of the same, every six months, to the president of the United States. In case of a vacancy of the office of governor, the government of the said territory shall be executed by the secretary.

**SECT. 4.** *And be it further enacted,* That the legislative power shall be vested in a general assembly, which shall consist of the governor, a legislative council, and an house of representatives. The general assembly shall have power to make laws in all cases, both civil and criminal, for the good government of the people of the said territory, not repugnant to or inconsistent with the constitution and laws of the United States; and shall have power to establish inferior courts, and to prescribe their jurisdiction and duties; to define the powers and duties of justices of the peace, and other civil officers, in the said territory, and to regulate and fix the fees of office, and to ascertain and provide for payment of the same, and for all other services rendered to the said territory, under the authority thereof. All bills having passed by a majority in the house of representatives, and by a majority in the legislative council, shall be referred to the governor for his assent, but no bill or legislative act whatever shall be of any force without his approbation.

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The legislative power vested in a general assembly, &c.  
Powers of the general assembly, &c.

No legislative act of any force without the governor's approbation.

**SECT. 5.** *And be it further enacted,* That the legislative council shall consist of nine members, to continue in office five years, unless sooner removed by the president of the United States: Any five of them shall be a quorum. The members of the legislative council shall be nominated and appointed in the manner following: as soon as representatives shall be elected they shall be convened by the governor as hereafter prescribed, and when met, shall nominate eighteen persons, residents in the said territory one year preceding their nomination, holding no office of profit under the territory or the United States, the office of justice of the peace excepted, and each possessing, in his own right, two hundred acres of land therein, and return the names to the president of the United States, nine of whom the president, by and with the advice and consent of the senate, shall appoint and commission to serve as aforesaid; and when a vacancy shall happen in the legislative council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to the president of the United States, one of whom he, by and with the advice and consent of the senate, shall appoint and commission for the residue of the term; and every five years, four months at least before the expiration of the time of service of the members of the legislative council, the house of representatives shall nominate eighteen persons, qualified as aforesaid, and return their names to the president of the United States, nine of whom shall be appointed and commissioned as aforesaid, to serve as members of the legislative council five years, if not sooner removed. No person shall be a member of the legislative council who hath not attained to the age of twenty-five years.

The legislative council to consist of nine members, to continue in office five years, unless, &c.

Manner of nominating and appointing the members of the legislative council, &c.

Method of filling vacancies in the legislative council, &c.

Members of the legislative council must be 25 years of age.

**SECT. 6.** *And be it further enacted,* That the house of representatives shall be composed of members elected every second year by the people of the said territory, to serve for two years. For every five hundred free white male inhabitants there shall be one representative, and so on progressively with the number of free white male inhabitants, shall the right of representation increase,

The house of representatives to be composed of members elected every second year by the people, &c.  
One representative for every 500 free white male inhabit-



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ants, and so on,  
until, &c.  
Qualifications of  
representatives.

until the number of the representatives shall amount to twenty-five, after which the number and proportion of representatives shall be regulated by the general assembly. No person shall be eligible or qualified to be a representative who shall not have attained to the age of twenty-one years, and who shall not have resided in the territory one year next preceding the day of election, and who shall not be a freeholder within the county in which he may be elected; and no person holding an office under the United States, or any office of profit under the territory, shall be a representative. In case of vacancy by death, resignation, removal, or otherwise, of a representative, the governor shall issue a writ to the county, whenever a vacancy may be, as aforesaid, to elect another person to serve the residue of the term. That all free white male citizens of the United States, above the age of twenty-one years, who have resided in said territory twelve months next preceding an election, and who shall have paid a territorial or county tax, assessed at least six months previous thereto, shall be entitled to vote for representatives to the general assembly of said territory.

In case of vacancy,  
&c. the governor to issue  
a writ, &c.

Qualifications of  
electors.

The governor to  
lay off the territory  
into convenient  
counties, &c. and cause 13  
representatives  
to be elected, &c.

SECT. 7. *And be it further enacted*, That, in order to carry the same into operation, the governor of the said territory shall cause to be elected thirteen representatives, and for that purpose shall proceed, as circumstances may require, to lay off the parts of the said territory to which the Indian title hath been extinguished, into convenient counties, on or before the first Monday in October next, and give notice thereof throughout the same, and shall appoint the most convenient time and place within each of the said counties for holding the elections, and shall nominate a proper officer or officers to preside at and conduct the same, and to return to him the names of the persons who shall have been elected. All subsequent elections shall be regulated by the general assembly, and the number of representatives shall be determined, and the apportionment made, in the manner hereinbefore prescribed.

Subsequent elections  
to be regulated by the  
general assembly,  
&c.

The representatives  
to be convened by the  
governor in St.  
Louis, on the  
first Monday in  
Dec. 1812, &c.

SECT. 8. *And be it further enacted*, That the representatives, elected as aforesaid, shall be convened by the governor in the town of St. Louis, on the first Monday in December next; and the first general assembly shall be convened by the governor, as soon as may be convenient, at St. Louis, after the members of the legislative council shall be appointed and commissioned. The general assembly shall meet once in each year, at St. Louis, and such meeting shall be on the first Monday in December, annually, unless they shall by law appoint a different day. The legislative council, and house of representatives, when assembled, shall each choose a speaker and its other officers, and determine the rules of its proceedings. Each house shall sit on its own adjournments from day to day. Neither house shall, during the session, without consent of the other, adjourn for more than two days, nor to any other place than that where the two houses shall be sitting. The members of the general assembly shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during their attendance at their respective houses,

The general assembly  
to meet once in each  
year, &c.  
Method of proceeding,  
&c. in the council and  
house, &c.

Privilege of the  
members of the  
general assembly.

and in going to, and returning from, the same; and for any speech or debate in either house, they shall not be questioned in any other place. 1812.

**SECT. 9.** *And be it further enacted,* That all and every free white male person who, on the twentieth day of December, in the year one thousand eight hundred and three, was an inhabitant of the territory of Louisiana, and all free white male citizens of the United States, who, since the said twentieth day of December, in the year one thousand eight hundred and three, emigrated, or who hereafter may emigrate, to the said territory, being otherwise qualified according to the provisions of this act, shall be capable to hold any office of honor, trust, or profit, in the said territory, under the United States, or under the said territory, and to vote for members of the general assembly, and a delegate to congress, during the temporary government provided for by this act.

Every free white male person, who was an inhabitant on the 20th Dec. 1803, &c. being otherwise qualified, &c. to be capable of holding any office, &c. and to vote for members, &c. and a delegate, &c.

**SECT. 10.** *And be it further enacted,* That the judicial power shall be vested in a superior court, and in inferior courts and justices of the peace. The judges of the superior court and justices of the peace shall hold their offices for the term of four years, unless sooner removed; the superior court shall consist of three judges, who shall reside in the said territory, any two of whom shall constitute a court; the superior courts shall have jurisdiction in all criminal cases, and exclusive jurisdiction in all those that are capital; and original and appellate jurisdiction in all civil cases of the value of one hundred dollars: the said judges shall hold their courts at such times and places as shall be prescribed by the general assembly.\* The sessions of the superior and inferior courts shall continue until all the business depending shall be disposed of, or for such time as shall be prescribed by the general assembly. The superior and inferior courts shall, respectively, appoint their clerks, who shall be commissioned by the governor, and shall hold their offices during the temporary government of the said territory, unless sooner removed by the court.

The judicial power to be vested in a superior court, &c.

The superior court to consist of three resident judges, &c. Jurisdiction of the superior court, &c.

[\* See act of 27th Jan. 1814, chap. 896, post.]

The superior and inferior courts to appoint their clerks, &c.

**SECT. 11.** *And be it further enacted,* That all free male white persons of the age of twenty-one years, who shall have resided one year in the said territory, and are not disqualified by any legal proceeding, shall be qualified to serve as grand or petit jurors in the courts of the said territory; and they shall, until the general assembly thereof shall otherwise direct, be selected in such manner as the said courts shall respectively prescribe, so as to be most conducive to an impartial trial, and least burthenome to the inhabitants of the said territory.

Qualifications of grand and petit jurors.

Manner of selecting them.

**SECT. 12.** *And be it further enacted,* That the governor, secretary, and judges, for the territory of Missouri, authorized by this act, and all general officers of the militia, during the temporary government thereof, shall be appointed and commissioned by the president of the United States, by and with the advice and consent of the senate; and the governor, secretary, and judges, shall, respectively, receive for their services the compensations established by law, to be paid quarter yearly out of the treasury of

The governor, secretary, judges, and general officers of militia, to be appointed, &c. by the president and senate.

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The governor, secretary, judges, &c. to take an oath, &c.

Before whom the oath is to be taken.

The citizens of the territory entitled to vote, &c. to elect one delegate to congress, &c.

The powers, privileges, &c. of the delegate the same as those of any other delegate.

[\* See chap. 305, vol. 3.]  
Rights secured to the people of the territory.

Schools, &c. to be encouraged and provided for, &c.

The general assembly not to interfere with the primary disposal of the soil by the United States, &c.

the United States. The governor, secretary, judges, members of the legislative council, members of the house of representatives, justices of the peace, and all other officers, civil and military, before they enter on the duties of their respective offices, shall take an oath or affirmation to support the constitution of the United States; and for the faithful discharge of the duties of their office; the governor before a judge of the supreme or a district court of the United States, or a judge of the said territory; the secretary and judges before the governor; the members of the legislative council and house of representatives before a judge of the said territory; and the justices of the peace and all other officers before such person as the governor shall appoint and direct.

SECT. 13. *And be it further enacted*, That the citizens of the said territory, entitled to vote for representatives to the general assembly thereof, shall, at the time of electing their representatives to the said general assembly, also elect one delegate from the said territory to the congress of the United States; and the delegate so elected shall possess the same powers, shall have the same privileges, and compensation, for his attendance in congress, and for going to, and returning from, the same, as heretofore have been granted to, and provided for, a delegate from any territory of the United States.\*

SECT. 14. *And be it further enacted*, That the people of the said territory shall always be entitled to a proportionate representation in the general assembly; to judicial proceedings according to the common law, and the laws and usages in force in the said territory; to the benefit of the writ of habeas corpus. In all criminal cases the trial shall be by jury of good and lawful men of the vicinage. All persons shall be bailable, unless for capital offences, where the proof shall be evident or the presumption great. All fines shall be moderate, and no cruel or unusual punishment shall be inflicted. No man shall be deprived of his life, liberty, or property, but by the judgment of his peers, and the law of the land. If the public exigencies make it necessary, for the common preservation, to take the property of any person, or to demand his particular services, full compensation shall be made for the same. No ex post facto law, or law impairing the obligation of contracts, shall be made. No law shall be made which shall lay any person under restraint, burthen, or disability, on account of his religious opinions, professions, or mode of worship, in all which he shall be free to maintain his own, and not burthened for those of another. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools, and the means of education, shall be encouraged and provided for from the public lands of the United States in the said territory, in such manner as congress may deem expedient.

SECT. 15. *And be it further enacted*, That the general assembly shall never interfere with the primary disposal of the soil by the United States in congress assembled, nor with any regulation congress may find necessary to make for securing the title in the bona fide purchasers: No tax shall ever be imposed on

lands the property of the United States. The lands of nonresident proprietors shall never be taxed higher than those of residents. The Mississippi and Missouri rivers, and the navigable waters flowing into them, and the carrying places between the same, shall be common highways, and forever free to the people of the said territory, and to the citizens of the United States, without any tax, duty, or impost therefor.

The Mississippi and Missouri rivers, carrying places, &c. to be common highways and forever free, &c.

SECT. 16. *And be it further enacted*, That the laws and regulations in force in the territory of Louisiana, at the commencement of this act, and not inconsistent with the provisions thereof, shall continue in force until altered, modified, or repealed, by the general assembly. And it is hereby declared that this act shall not be construed to vacate the commission of any officer in the said territory, acting under the authority of the United States, but that every such commission shall be and continue in full force as if this act had not been made. And so much of an act, entitled "An act further providing for the government of the territory of Louisiana,"\* approved on the third day of March, one thousand eight hundred and five, and so much of an act, entitled "An act for erecting Louisiana into two territories and providing for the temporary government thereof,"† approved the twenty-sixth of March, one thousand eight hundred and four, as is repugnant to this act, shall from and after the first Monday in December next, be repealed: On which first Monday in December next this act shall commence and have full force: *Provided*, So much of it as requires the governor of said territory to perform certain duties previous to the said first Monday of December next shall be in force from the passage thereof.

Laws, &c. in force, and not inconsistent, to continue, until, &c.

This act not to vacate the commission of any officer in the territory, &c.

So much of the acts mentioned, as is repugnant to this act, repealed, after the first Monday in Dec 1812, when this act is to go into operation. [\*Ch. 448, vol. 3.] [†Ch. 391, vol. 3.]

Provido; so much of this act as requires the governor to perform certain duties previously, &c. to be in force from the 4th June, 1812.

[Approved, June 4, 1812.]

CHAP. 419. [XCVI.] An act for the relief of William Garrard.‡

[‡ Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the proper officers of the treasury department be, and they are hereby, authorized and required to pay to William Garrard the additional sum of one thousand five hundred dollars, in consideration of his services as a land commissioner in the territory of Orleans; which shall be paid out of any money in the treasury, not otherwise appropriated. [Approved, June 10, 1812.]

The proper officers of the treasury required to pay to William Garrard the additional sum of 1,500 dollars, in consideration of his services as a land commissioner, &c.

CHAP. 420. [XCVII.] An act to extend the time for exporting, with privilege of drawback, goods, wares, and merchandise, entitled thereto by law.§

[§ Obsolete.] The time during which the act laying an embargo continues in force, not to be computed as part of the term within which goods, &c. must be re-exported to be entitled to drawback. [JAnte, ch. 379.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the time during which the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States for a limited time,"|| shall continue in force, shall not be computed as making part of the term of twelve ca-

1812. lendar months, during which goods, wares, or merchandise, imported into the United States, must be re-exported in order to be entitled to a drawback of the duties paid on the importation thereof. [Approved, June 10, 1812.]

[\*See orig. act, of 3d Feb. 1809; ante, chap. 124.]

CHAP. 421. [XCVIII.] An act supplemental to an act, entitled "An act for dividing the Indiana territory into two separate governments."\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That it shall and may be lawful for any person or persons, in whose favor there now are, or hereafter may be, rendered any final judgment or judgments, decree or decrees, in the general court, or court of chancery, of the territory aforesaid, upon any suit or suits, pleas, process, or proceedings, which were pending in the said courts on the first day of March, one thousand eight hundred and nine, to sue out of the office of the clerk of the general court, or court of chancery, aforesaid, without delay, any writ or writs of execution, upon the judgments or decrees aforesaid, and to cause the said judgments or decrees to be fully executed by the same officers, and in the same manner, as if the Indiana territory had remained undivided. [Approved, June 10, 1812.]

Persons in whose favor final judgments or decrees, in the general court, or court of chancery, &c. upon any suit, &c. pending on the 1st March, 1809, may sue out of the office of the clerk, &c. writs of execution, &c.

CHAP. 422. [XCIX.] An act making further provision for settling the claims to land in the territory of Missouri.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the rights, titles, and claims, to town or village lots, outlots, common field lots, and commons, in, adjoining, and belonging to, the several towns or villages of Portage des Sioux, St. Charles, St. Louis, St. Ferdinand, Villa a Robert, Carondelet, St. Genevieve, New Madrid, New Bourbon, Little Prairie, and Arkansas, in the territory of Missouri, which lots have been inhabited, cultivated, or possessed, prior to the twentieth day of December, one thousand eight hundred and three, shall be, and the same are hereby, confirmed to the inhabitants of the respective towns or villages aforesaid, according to their several right or rights in common thereto: *Provided,* That nothing herein contained shall be construed to affect the rights of any persons claiming the same lands, or any part thereof, whose claims have been confirmed by the board of commissioners for adjusting and settling claims to land in the said territory. And it shall be the duty of the principal deputy surveyor for the said territory, as soon as may be, to survey, or cause to be surveyed and marked, (where the same has not already been done according to law) the out boundary lines of the said several towns or villages, so as to include the outlots, common field lots, and commons, thereto, respectively, belonging. And he shall make out plats of the surveys, which he shall transmit to the surveyor general, who shall forward copies of the said plats to the commissioner of the

The rights, titles, &c. to town or village lots, &c. in and adjoining, &c. to the village, or towns mentioned, inhabited, &c. prior to the 20th Dec. 1803, confirmed to the inhabitants, &c.

Provide; nothing herein to affect the rights of persons whose claims have been confirmed, &c.

The principal deputy surveyor to survey, &c. the out boundary lines of the towns, &c. so as to include the outlots, &c. into out plats, the principal deputy surveyor of the United States, &c.

general land office, and to the recorder of land titles: the expense of surveying the said out boundary lines shall be paid by the United States out of any moneys appropriated for surveying the public lands: *Provided*, That the whole expense shall not exceed three dollars for every mile that shall be actually surveyed and marked.

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SECT. 2. *And be it further enacted*, That all town or village lots, outlots, or common field lots, included in such surveys, which are not rightfully owned or claimed by any private individuals, or held as commons belonging to such towns or villages, or that the president of the United States may not think proper to reserve for military purposes, shall be, and the same are hereby, reserved for the support of schools in the respective towns or villages aforesaid: *Provided*, That the whole quantity of land contained in the lots reserved for the support of schools in any one town or village, shall not exceed one-twentieth part of the whole lands included in the general survey of such town or village.

*Proviso; the whole expense not to exceed 3 dollars, for every mile actually surveyed, &c. All town or village lots, &c. not rightfully owned, &c. by any private individuals, &c. or that the president, &c. reserved for the support of schools.*

*Proviso; the whole quantity reserved for schools, &c. not to exceed 1-20th part, &c.*

SECT. 3. *And be it further enacted*, That every claim to a donation of lands in the said territory, in virtue of settlement and cultivation, which is embraced by the report of the commissioners, transmitted to the secretary of the treasury, and which, by the said report, shall appear not to have been confirmed, merely because permission, by the proper Spanish officer, to settle, has not been duly proven; or because the tract claimed, although inhabited, was not cultivated on the twentieth of December, one thousand eight hundred and three; or not to have been confirmed on account of both said causes; the same shall be confirmed, in case it shall appear that the tract so claimed was inhabited by the claimant, or some one for his use, prior to the twentieth day of December, one thousand eight hundred and three, as aforesaid, and cultivated in eight months thereafter; subject, however, to every other limitation and restriction prescribed by former laws in respect to such claims: and in all cases where it shall appear by the said report, or other records of the board, that claims to land have not been confirmed merely on the ground that the claim was for a greater quantity than eight hundred arpens, French measure, every such claim, to the extent of eight hundred arpens, shall be confirmed.

*Every claim to a donation of lands in the territory of Missouri, in virtue of settlement, &c. embraced by the report of the commissioners, and not confirmed because permission to settle, by the Spanish officer, has not been proven, or, &c. to be confirmed in case it appears that the tract claimed was inhabited, &c. prior to the 20th Dec. 1803, &c. subject, &c.*

SECT. 4. *And be it further enacted*, That the recorder of land titles for the said territory shall, without delay, make an extract from the books of the said board of commissioners of all the claims to land which are, by the preceding section, directed to be confirmed, a copy of which he shall transmit to the commissioner of the general land office; and he shall furnish the principal deputy surveyor with a proper description of the tracts so to be confirmed, wherein the quantity, locality, boundaries, and connexion, when practicable with each other, and those tracts that have been confirmed by the board of commissioners, shall be stated. And whenever plats of the surveys, as herein-after directed, shall have been returned to the said recorder's office, it shall be his duty to issue, for each tract to be confirmed

*In cases where it appears by the report, &c. that a claim has not been confirmed on the ground that it was for a greater quantity, &c. it is to be confirmed to the extent of 800 arpens.*

*The recorder of land titles for the territory of Missouri to make an extract from the books, &c. of all claims directed to be confirmed by the preceding section, and transmit a copy to the commissioner of the general land office; furnish the deputy surveyor with a description, &c. issue certificates, &c.*

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Patents to be granted, &c.

The principal deputy surveyor to survey, &c. so much of the lands in the Missouri territory as the president may direct, &c. and also the lands the claims to which are directed to be confirmed, &c.

The principal deputy surveyor to make out a general and connected plat of all the surveys, and transmit it to the surveyor general, who, &c.

The expense of surveying to be paid by the United States, provided it do not exceed 3 dollars a mile, &c.

Where, by reason of the indefinite description, &c. of any tract, &c. the same cannot be ascertained by the principal deputy surveyor, the recorder, &c. to furnish such precise description as, &c.

For more correctly ascertaining boundaries, &c. the principal deputy to have free access, &c. to books and papers in the recorder's office, &c. and may take copies, &c.

35 cents to the recorder for the description of each tract, &c.

Persons claiming lands in the territory of Missouri, being actual settlers, whose claims have not been filed, &c. allowed until the 1st Dec. 1812, to deliver notices,

as aforesaid, to the person entitled thereto, a certificate in favor of the party, which shall be transmitted to the commissioner of the general land office; and if it shall appear, to the satisfaction of the said commissioner, that such certificate has been fairly obtained, according to the true intent and meaning of this act, then, in that case, patents shall be granted in like manner as is provided by law for the other lands of the United States.

SECT. 5. *And be it further enacted*, That the principal deputy surveyor shall survey, or cause to be surveyed, under the direction of the surveyor general, so much of the lands in the said territory, to which the Indian title has been extinguished, as the president of the United States may direct, into townships of six miles square, by lines running due north and south, and others crossing these at right angles; and also the lands, the claims to which are directed to be confirmed by the third section of this act; and the lands, the claim to which have been confirmed by the board of commissioners, where the same has not already been surveyed under the authority of the United States. And the said principal deputy surveyor shall make out a general and connected plat of all the surveys directed by this act to be made, or which have already been made, under the authority of the United States, which he shall transmit to the surveyor general, who shall transmit copies of the said plat or plats to the recorder of land titles, and the commissioner of the general land office.

The expense of surveying shall be paid by the United States: *Provided*, The same shall not, in the whole, exceed three dollars a mile for every mile that shall be actually surveyed and marked.

SECT. 6. *And be it further enacted*, That in all cases where, by reason of the indefinite description of the local situation and boundaries of any tract, the claim to which has been confirmed by the commissioners, the same cannot be ascertained by the principal deputy surveyor, it shall be the duty of the recorder of land titles, on the application of the said principal deputy, to furnish such precise description thereof as can be obtained from the records in his office and the books of the said board of commissioners; and for the purpose of the more correctly ascertaining the locality and boundaries of any such tracts, the said principal deputy shall have free access, at all reasonable hours, to the books and papers in the recorder's office, relating to land claims, and be permitted to take copies, or such extracts, therefrom, or any of them, as he may think proper and necessary for the discharge of his duty in executing such surveys. And the said recorder shall be allowed twenty-five cents for the description of each tract which he shall furnish to the principal deputy surveyor as aforesaid.

SECT. 7. *And be it further enacted*, That every person or persons claiming lands in the territory of Missouri, who are actual settlers on the lands which they claim, and whose claims have not been heretofore filed with the recorder of land titles for the said territory, shall be allowed until the first day of December next, to deliver notices, in writing, and the written evidences, of

their claims to the said recorder; and the notices and evidences, so delivered within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing within the time limited by this act, shall, so far as they are derived from, or founded on, any act of congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of the United States against any grant derived from the United States.\*

**SECT. 8.** *And be it further enacted,* That the said recorder of land titles shall have the same powers, and perform the same duties, in relation to the claims thus filed before the first day of December next, and the claims which have been heretofore filed, but not decided on by the commissioners, as the board of commissioners had, by former laws respecting claims, filed prior to the first day of July, one thousand eight hundred and eight, except that all of his decisions shall be subject to the revision of congress. And it shall be the duty of the said recorder to make to the commissioner of the general land office a report of all the claims which shall be thus filed before the first day of December next, and of the claims which have been already filed, but not decided on by the said commissioners; together with the substance of the evidence in support thereof, with his opinion, and such remarks as he may think proper; which report, together with a list of the claims which, in the opinion of the said recorder, ought to be confirmed, shall be laid, by the commissioner of the general land office, before congress, at their next session, for their determination thereon. The said recorder, in addition to his salary, as fixed by law, shall be allowed fifty cents for each claim which has been filed, but not decided on by the commissioners; or which shall be filed according to this act, and on which he shall make a decision, whether such decision be in favor of, or against, the claim; and a further allowance of five hundred dollars, which shall be paid after he shall have made his report to the commissioner of the general land office; which allowance of fifty cents for each claim decided on, and five hundred dollars, on the completion of the business, shall be in full compensation for his services, including clerk hire, respecting the claims to be decided on according to this act. [Approved, June 13, 1812.]

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 &c. to the recorder.  
 The notices, &c. to be recorded, &c.  
 The rights of persons neglecting to deliver notices, &c. to become void, &c.

[\*See chap. 609, post.]  
 The recorder of land titles to have the same powers, &c. in relation to claims filed, &c. as the board of commissioners had by former laws, &c. except, &c.

The recorder to make a report of all the claims filed, &c. to the commissioner of the general land office, &c.

The report, and a list of the claims, &c. to be laid before congress, &c.

The recorder allowed 50 cents for each claim filed, in addition, &c. and a further sum of 500 dolls. after his report, &c. to be in full, including clerk hire.

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CHAP. 423. [C.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

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CHAP. 424. [CI.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.



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CHAP. 425. [CII.] An act declaring war between the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America, and their territories.\*

\* Obsolete. See the treaty of peace and amity, page 693, vol. 1.]

War declared to exist between Great Britain, &c. and the United States, &c. The president authorized to use the whole land and naval force to carry the declaration into effect, and to issue commissions to private armed vessels, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* war be; and the same is hereby, declared to exist between the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America, and their territories; and that the president of the United States is hereby authorized to use the whole land and naval force of the United States to carry the same into effect, and to issue to private armed vessels of the United States commissions, or letters of marque and general reprisal, in such form as he shall think proper, and under the seal of the United States, against the vessels, goods, and effects, of the government of the said United Kingdom of Great Britain and Ireland, and the subjects thereof.

[Approved, June 18, 1812.]

[† Private and obsolete.]

CHAP. 426. [CIII.] An act for the relief of Clement B. Penrose.†

The proper officers of the treasury required to pay Clement B. Penrose, &c. \$500 dolls. for having brought the report of the land commissioners for Louisiana to the seat of government.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the proper officers of the treasury be, and they are hereby, authorized and required to allow and pay unto Clement B. Penrose, one of the commissioners for ascertaining the rights of persons claiming lands in the territory of Louisiana, the sum of five hundred dollars, as a full compensation for having brought to the seat of government the report of the said commissioners.

[Approved, June 20, 1812.]

[‡ Private.]

CHAP. 427. [CIV.] An act authorizing the discharge of William Peck from his imprisonment.‡

William Peck, late marshal and acting supervisor of internal revenue for Rhode Island, &c. confined on a judgment in favor of the United States, to be discharged. *Provido;* William Peck first to convey all his estate for the benefit of the United States, &c.

*Provido;* future estate to be liable, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* William Peck, late marshal and acting supervisor of the internal revenue and direct tax, for Rhode Island district, and who is confined in prison at Providence, on a judgment obtained against him in favor of the United States, be discharged from his imprisonment: *Provided, however,* That he shall first assign and convey all the estate, real and personal, which he may now own, or be entitled to, to some person or persons, for the use and benefit of the United States, under the direction of the secretary of the treasury, for the purpose of satisfying any judgment that has, or may hereafter be, obtained against him for any moneys due by him to the United States: *And provided also,* That any estate, real or personal, which the said William Peck may hereafter acquire, shall be liable to be taken in the same manner as if he had not been imprisoned and discharged.

[Approved, June 24, 1812.]

HAP. 428. [CV.] An act for the relief of lieutenant colonel William D. Beall.\*

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[\* Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the department of war, in the settlement of the account of lieutenant colonel William D. Beall, allow him the pay and emoluments of adjutant and inspector of the army, at and near New Orleans, from the seventeenth of June, until the twenty-fourth of November, in the year one thousand eight hundred and nine, to be paid out of any money in the treasury not otherwise appropriated. [Approved, June 24, 1812.]

The accounting officers of the war department, in settling the account of lieutenant colonel Wm. D. Beall, to allow him the pay, &c. of adjutant and inspector of the army at New Orleans, &c. for the time mentioned.

HAP. 429. [CVI.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

HAP. 430. [CVII.] An act concerning letters of marque, prizes, and prize goods.†

[† See treaty of peace and amity, page 693, vol. 1. And additional act, of 27th Jan. 1813; chap. 478, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States shall be, and he is hereby, authorized and empowered to revoke and annul at pleasure all letters of marque and reprisal which he shall or may at any time grant, pursuant to an act, entitled "An act declaring war between the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America, and their territories."‡

The president empowered to revoke letters of marque, &c. which he may grant in pursuance of the act mentioned.

[‡ Ante, c. 429.]

SECT. 2. *And be it further enacted,* That all persons applying for letters of marque and reprisal, pursuant to the act aforesaid, shall state in writing the name, and a suitable description of the tonnage and force, of the vessel, and the name and place of residence of each owner concerned therein, and the intended number of the crew; which statement shall be signed by the person or persons making such application, and filed with the secretary of state, or shall be delivered to any other officer or person who shall be employed to deliver out such commissions, to be by him transmitted to the secretary of state.

Persons applying for letters of marque, &c. to state, in writing, the name of the vessel, &c.

The statement to be signed, &c. and filed with the secretary of state, &c.

SECT. 3. *And be it further enacted,* That before any commission of letters of marque and reprisal shall be issued as aforesaid, the owner or owners of the ship or vessel for which the same shall be requested, and the commander thereof, for the time being, shall give bond to the United States, with at least two responsible sureties, not interested in such vessel, in the penal sum of five thousand dollars; or if such vessel be provided with more than one hundred and fifty men, then in the penal sum of ten thousand dollars; with condition that the owners, officers, and crew, who shall be employed on board such commissioned vessel, shall and will observe the treaties and laws of the United States, and the instructions which shall be given them according to law for the regulation of their conduct; and will satisfy all

Bonds, &c. to be given, according to the number of men on board each vessel.

Condition of each bond.

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damages and injuries which shall be done or committed contrary to the tenor thereof by such vessel, during her commission, and to deliver up the same when revoked by the president of the United States.

Vessels and property captured, forfeited, and to accrue to the owners, officers, and crews, &c.

Property to be distributed according to written agreements; or, if no agreement, then a moiety to the owners and a moiety to the officers and crew, &c.  
[\*Ch. 187, vol. 3.]

Recaptured vessels, goods, &c. to be restored on payment of a reasonable salvage, &c.

Salvage to be distributed among the owners, officers, and crews, &c.

Prizes to be brought in for adjudication, before breaking bulk, &c.

Into ports of the United States or of a friendly nation, &c.

District courts to have exclusive original cognizance of prizes brought into the United States, &c.

If captures are made without

SECT. 4. *And be it further enacted*, That all captures and prizes of vessels and property shall be forfeited, and shall accrue to the owners, officers, and crews, of the vessels by whom such captures and prizes shall be made; and, on due condemnation had, shall be distributed according to any written agreement which shall be made between them; and if there be no such agreement, then one moiety to the owners, and the other moiety to the officers and crew, to be distributed between the officers and crew as nearly as may be, according to the rules prescribed for the distribution of prize money, by the act, entitled "An act for the better government of the navy of the United States,"\* passed the twenty-third day of April, one thousand eight hundred.

SECT. 5. *And be it further enacted*, That all vessels, goods, and effects, the property of any citizen of the United States, or of persons resident within and under the protection of the United States, or of persons permanently resident within and under the protection of any foreign prince, government, or state, in amity with the United States, which shall have been captured by the enemy, and which shall be recaptured by vessels commissioned as aforesaid, shall be restored to the lawful owners, upon payment by them, respectively, of a just and reasonable salvage, to be determined by the mutual agreement of the parties concerned, or by the decree of any court having competent jurisdiction, according to the nature of each case, agreeably to the provisions heretofore established by law. And such salvage shall be distributed among the owners, officers, and crews, of the vessels commissioned as aforesaid, and making such recaptures, according to any written agreement which shall be between them; and in case of no such agreement, then in the same manner, and upon the principles, hereinbefore provided in case of capture.

SECT. 6. *And be it further enacted*, That, before breaking bulk of any vessel which shall be captured as aforesaid, or other disposal or conversion thereof, or of any articles which shall be found on board the same, such captured vessel, goods, or effects, shall be brought into some port of the United States, or into some port of a nation in amity with the United States, and shall be proceeded against, before a competent tribunal, and, after condemnation and forfeiture thereof, shall belong to the owners and captors thereof, and be distributed as aforesaid: And in the case of all captured vessels, goods, and effects, which shall be brought within the jurisdiction of the United States, the district courts of the United States shall have exclusive original cognizance thereof, as in civil causes of admiralty and maritime jurisdiction; and the said courts, or the courts, being courts of the United States, into which such cases shall be removed, and in which they shall be finally decided, shall and may decree restitution, in whole or in part, when the capture shall have been made without just cause. And if made without probable cause, or otherwise unreasonably,

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probable cause,  
&c. the court  
may order and  
decree damages,  
&c.

Prisoners of war  
to be reported  
to the collector,  
delivered to the  
marshal, &c.

The president to  
order instructions  
for privateers.

A bounty of 20  
dolls. for each  
person on board  
any vessel of the  
enemy, of equal  
or inferior force,  
destroyed, &c.

[\* See chap. 483,  
and 615, post.]

Commanding of-  
ficers of priva-  
teers to keep  
journals, con-  
taining a true  
and exact ac-  
count of daily  
transactions, &c.

The command-  
ing officer of any  
privateer, on ar-  
riving in a port  
of the United  
States, to pro-  
duce his com-  
mission, deliver  
up his journal,  
&c. verified on  
oath, &c.

may order and decree damages and costs to the party injured, and for which the owners and commanders of the vessels making such captures, and also the vessels, shall be liable.

SECT. 7. *And be it further enacted*, That all prisoners found on board any captured vessels, or on board any recaptured vessel, shall be reported to the collector of the port in the United States in which they shall first arrive, and shall be delivered into the custody of the marshal of the district, or some civil or military officer of the United States, or of any state in or near such port, who shall take charge of their safekeeping and support, at the expense of the United States.

SECT. 8. *And be it further enacted*, That the president of the United States shall be, and he is hereby, authorized to establish and order suitable instructions for the better governing and directing the conduct of the vessels, so commissioned, their officers and crews, copies of which shall be delivered, by the collector of the customs, to the commanders, when they shall give bond as aforesaid.

SECT. 9. *And be it further enacted*, That a bounty shall be paid by the United States, of twenty dollars for each person on board any armed ship or vessel, belonging to the enemy, at the commencement of an engagement, which shall be burnt, sunk, or destroyed, by any vessel commissioned as aforesaid, which shall be of equal or inferior force, the same to be divided as in other cases of prize money.\*

SECT. 10. *And be it further enacted*, That the commanding officer of every vessel having a commission, or letters of marque and reprisal, during the present hostilities between the United States and Great Britain, shall keep a regular journal, containing a true and exact account of his daily transactions and proceedings with such vessel and the crew thereof; the ports and places he shall put into or cast anchor in, the time of his stay there, and the cause thereof; the prizes he shall take; the nature and probable value of such prizes; the times and places when and where taken, and how and in what manner he shall dispose of the same; the ships or vessels he shall fall in with; the times and places, when and where he shall meet with them, and his observations and remarks thereon; also of whatever else shall occur to him or any of his officers or mariners, or be discovered and found out by examination or conference with any mariners or passengers of or in any other ships and vessels, or by any other ways or means whatsoever, touching or concerning the fleets, vessels, and forces, of the enemy, their posts and places of station and destination, strength, numbers, intents, and designs: And such commanding officer shall, immediately on his arrival in any port of the United States, or the territories thereof, from or during the continuance of any voyage or cruise, produce his commission for such vessel, and deliver up such journal so kept as aforesaid, signed with his proper name and hand writing, to the collector or other chief officer of the customs, at or nearest to such port; the truth of which journal shall be verified by the oath of the commanding officer for the time being; and such col-

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The collector, &c. to order an office of the customs to go on board and take an account of officers and men, &c. No private armed vessel to be permitted to sail out of port again, until the journal has been delivered up, and a certificate obtained, &c.

Commanding officers of privateers to exhibit their journals, &c. to public armed vessels of the United States, &c.

Vessels having letters of marque, and putting into a foreign port where there is an American consul, &c. the commanders are to produce their journals, &c. to such consul, &c.

The consul, &c. to report to the secretary of the navy, if the armament does not correspond, &c. Commanders of vessels having letters of marque, &c. neglecting to keep a journal, or making fraudulent entries, &c. or refusing to produce such journal, &c. liable to have their commissions revoked, and to forfeit 1,000 dols.

A moiety of the forfeiture to the informer, &c.

Owners, &c. of letters of marque, &c. violating any of the laws of the revenue, &c. to forfeit the commission, and be liable to all the penalties, &c.

So much of any act as prohibits the importation of British goods, &c. repealed so

lector or other chief officer of the customs shall, immediately on the arrival of such vessel, order the proper officer of the customs to go on board and take an account of the officers and men, the number and nature of the guns, and whatever else shall occur to him, on examination, material to be known; and no such vessel shall be permitted to sail out of port again, after such arrival, until such journal shall have been delivered up, and a certificate obtained, under the hand of such collector or other chief officer of the customs, that she is manned and armed according to her commission; and upon delivery of such certificate, any former certificate of a like nature, which shall have been obtained by the commander of such vessel, shall be delivered up.

SECT. 11. *And be it further enacted*, That captains and commanders of vessels having letters of marque and reprisal, in case of falling in with any of the vessels of war or revenue of the United States, shall produce, to the commanding officer of such vessels, their journals, commissions, and certificates, as aforesaid; and the commanding officers of such ships of war or revenue shall make, respectively, a memorandum in such journal, of the day on which it was so produced to him, and shall subscribe his name to it: and, in case such vessel, having letters of marque as aforesaid, shall put into any foreign port where there is an American consul, or other public agent of the United States, the commander shall produce his journal, commission, and certificate aforesaid, to such consul or agent, who may go on board and number the officers and crew, and examine the guns, and if the same shall not correspond with the commission and certificate, respectively, such consul or agent shall forthwith communicate the same to the secretary of the navy.

SECT. 12. *And be it further enacted*, That the commanders of vessels having letters of marque and reprisal as aforesaid, neglecting to keep a journal as aforesaid, or wilfully making fraudulent entries therein, or obliterating any material transactions therein, where the interest of the United States is in any manner concerned, or refusing to produce such journal, commission, or certificate, pursuant to the preceding section of this act, then, and in such cases, the commissions or letters of marque and reprisal of such vessels shall be liable to be revoked; and such commanders, respectively, shall forfeit, for every such offence, the sum of one thousand dollars; one moiety thereof to the use of the United States, and the other to the informer.

SECT. 13. *And be it further enacted*, That the owners or commanders of vessels having letters of marque and reprisal as aforesaid, who shall violate any of the acts of congress for the collection of the revenue of the United States and for the prevention of smuggling, shall forfeit the commission or letters of marque and reprisal, and they, and the vessels owned or commanded by them, shall be liable to all the penalties and forfeitures attaching to merchant vessels in like cases.

SECT. 14. *And be it further enacted*, That so much of any act or acts as prohibits the importation of goods, wares, and merchandise, of the growth, produce, and manufacture, of the do-

minions, colonies, and dependencies, of the United Kingdom of Great Britain and Ireland, or of goods, wares, and merchandise, imported from the dominions, colonies, and dependencies, of the United Kingdom of Great Britain and Ireland, be, and the same is hereby, repealed, so far as the same may prohibit the importation or introduction into the United States, and their territories, of such goods, wares, and merchandise, as may be captured from the enemy and made good and lawful prize of war, either by vessels having letters of marque and reprisal, or by the vessels of war and revenue of the United States. And all such goods, wares, and merchandise, when imported or brought into the United States, or their territories, shall pay the same duties, to be secured and collected in the same manner, and under the same regulations, as the like goods, wares, and merchandise, if imported in vessels of the United States from any foreign port or place, in the ordinary course of trade, are now, or may at the time be, liable to pay.\*

Prize goods to pay the same duties as if imported in the ordinary course of trade, &c.

[\* See chap. 577, post.]

SECT. 15. *And be it further enacted*, That all offences committed by any officer or seaman on board any such vessel having letters of marque and reprisal, during the present hostilities against Great Britain, shall be tried and punished in such manner as the like offences are or may be tried and punished when committed by any person belonging to the public ships of war of the United States: *Provided always*, That all offenders who shall be accused of such crimes as are cognizable by a court martial, shall be confined on board the vessel in which such offence is alleged to have been committed, until her arrival at some port in the United States, or their territories; or until she shall meet with one or more of the public armed vessels of the United States abroad, the officers whereof shall be sufficient to make a court martial for the trial of the accused; and upon application made, by the commander of such vessel, on board of which the offence is alleged to have been committed, to the secretary of the navy, or to the commander or senior officer of the ship or ships of war of the United States abroad as aforesaid, the secretary of the navy, or such commander or officer, is hereby authorized to order a court martial of the officers of the navy of the United States, for the trial of the accused, who shall be tried by the said court.

Offences committed by any officer or seaman on board vessels having letters of marque, &c. to be tried and punished as if committed by persons belonging to public ships of war, &c. *Provided*, offenders accused of crimes cognizable by a court martial, to be confined on board the vessel until her arrival at some port in the United States, or until she meets with one or more of the public armed vessels abroad, &c.

SECT. 16. *And be it further enacted*, That an act, entitled "An act laying an embargo on all the ships and vessels in the ports and harbors of the United States, for a limited time,"† passed the fourth day of April, one thousand eight hundred and twelve; and an act, entitled "An act to prohibit the exportation of specie, goods, wares, and merchandise, for a limited time,"‡ passed April fourteenth, one thousand eight hundred and twelve, so far as they relate to ships and vessels having commissions or letters of marque and reprisals, or sailing under the same, be, and they hereby are, respectively, repealed.

The act laying an embargo, &c. and an act to prohibit the exportation of specie, &c. repealed so far as they relate to vessels having letters of marque, &c. [† Ante, ch. 372.] [‡ Ante, ch. 379.]

SECT. 17. *And be it further enacted*, That two per centum on the nett amount (after deducting all charges and expenditures) of the prize money arising from captured vessels and cargoes,

Two per cent. on the nett amount of prize money, &c. to be secured and paid over to

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[\* See chap. 487, post.]

The moneys arising from the 2 per cent. paid over, to be held as a fund for the support of widows and orphans of persons slain, and for the maintenance of persons who may be wounded, &c.

CHAP. 431. [CVIII.] An act for the more perfect organization of the army of the United States.†

[† See the note at the end of ch. 760, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the infantry of the army of the United States shall consist of twenty-five regiments, and that a regiment shall consist of one colonel, one lieutenant colonel, one major, one adjutant, one paymaster, one quartermaster, one surgeon, two surgeon's mates, one sergeant major, one quartermaster's sergeant, two principal musicians, and ten companies.

The infantry of the army to consist of 25 regiments; and each regiment of the officers, &c. specified and ten companies.

Each company to consist of the officers, &c. mentioned and 90 privates.

SECT. 2. *And be it further enacted,* That each company shall consist of one captain, one first lieutenant, one second lieutenant, one ensign, four sergeants, six corporals, two musicians, and ninety privates.

A riding master to the regiment of cavalry mentioned.

[‡ Ante, ch. 337.]

A surgeon's mate to the regiment of light dragoons mentioned.

[§ Ante, ch. 147.]

Organization of a troop of cavalry, &c.

The pay, &c. of a master of the sword the same as that of a riding master; and of a blacksmith the same as a farrier.

The military establishment authorized previous to the 12th April, 1808, and the additional military force under the act mentioned, incorporated. [¶ See chap. 269, vol. 3.]

SECT. 3. *And be it further enacted,* That, to the regiment of cavalry, authorized by the act, passed January eleventh, one thousand eight hundred and twelve, entitled "An act to raise an additional military force,"‡ there shall be added one riding master; and, to the regiment of light dragoons authorized by the act, passed April twelfth, one thousand eight hundred and eight, entitled "An act to raise, for a limited time, an additional military force,"§ one surgeon's mate.

SECT. 4. *And be it further enacted,* That each troop of cavalry, or light dragoons, shall consist of one captain, one first lieutenant, one second lieutenant, one cornet, four sergeants, six corporals, two musicians, one master of the sword, one saddler, one farrier, one blacksmith, and sixty-four privates; and the pay and emolument of a master of the sword shall be the same as those of a riding master, and the pay and emolument of a blacksmith, shall be the same as those of a farrier.

SECT. 5. *And be it further enacted,* That the military establishment authorized by law previous to the twelfth day of April, one thousand eight hundred and eight,|| and the additional military

force raised by virtue of the act of the twelfth of April, one thousand eight hundred and eight,\* be, and the same are hereby, incorporated; and that, from and after the passing of this act, the promotions shall be made through the lines of artilleryists, light artillery, dragoons, riflemen, and infantry, respectively, according to established rule. [Approved, June 26, 1812.]

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[\* See ante, ch. 147.]  
After the 30th June, 1812, promotions to be made through the lines, &c. according to rule.

CHAP. 432. [CIX.] An act to ascertain the western boundary of the tract reserved for satisfying the military bounties allowed to the officers and soldiers of the Virginia line on continental establishment.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States shall be, and he is hereby, authorized, by and with the advice and consent of the senate, to appoint three commissioners on the part of the United States, to act with such commissioners as may be appointed by the state of Virginia: and the commissioners thus appointed shall have full power and authority to ascertain, survey, and mark, according to the true intent and meaning of the condition touching the military reservation, in the deed of cession from the state of Virginia to the United States,† of the land northwest of the river Ohio, the westwardly boundary line of said reservation, between the little Miami and Scioto rivers.

The president, &c. to appoint three commissioners, to act with commissioners to be appointed by Virginia. The commissioners empowered to ascertain, &c. the westwardly boundary line of the Virginia reservation, &c. [† See page 479, vol. 1.]

SECT. 2. *And be it further enacted,* That the commissioners appointed by the United States shall meet at Xenia in the state of Ohio, on the fifth day of October next, for the purpose of ascertaining the said line, unless otherwise directed by the president of the United States; and in case they shall not be met by commissioners appointed on the part of the state of Virginia, within six days after the said fifth day of October next, the commissioners appointed on the part of the United States shall proceed to ascertain, survey, and distinctly mark, the said boundary line, according to the true intent and meaning of the said act of cession; in measuring the said line, whether accompanied by the commissioners on the part of Virginia or not, or in case of disagreement, they shall note the intersections, if any, of said line, with any surveys heretofore authorized by the United States, all water courses, the quality of the land over which the line passes, and any other matter which, in their opinion, requires notice. The said commissioners shall make a plat of said line, its intersections, with notes and references, which shall be signed and returned by the said commissioners to the commissioner of the general land office, accompanied by a written report, on or before the fifth day of January next, unless the time of meeting shall have been prolonged by the president of the United States, who shall lay copies of the same before both houses of congress at their next session.

The commissioners of the United States to meet at Xenia on the 5th of October, 1812, unless, &c. and if not met within six days by the commissioners of Virginia, to proceed to survey the boundary line, &c.

In measuring the line, its intersections with former authorized surveys, and water courses, &c. to be noted, &c.

The commissioners to make a plat, &c. to be returned to the commissioner of the general land office, with a written report, &c. and copies to be laid before congress, &c.

SECT. 3. *And be it further enacted,* That the commissioners aforesaid shall have power to engage a skilful surveyor, who shall employ chain carriers and a marker, and shall be allowed

The commissioners empowered to employ a skilful surveyor, who is to employ



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chain carriers, &c. to be allowed 4 dolls. for every mile, &c. The commissioners on the part of the United States to receive 5 dolls. per day each, &c.

Until the boundary line is established by consent, &c. the boundary designated by the act mentioned, to be held as the proper one, &c. [\* See chap. 386, vol. 3.]

The secretary of state to transmit a copy of this act within 30 days, &c.

four dollars for every mile actually surveyed and marked under direction of the said commissioners, in performance of the duties assigned them; and the commissioners appointed on the part of the United States shall, each, receive five dollars for each day he shall be necessarily employed in performance of the duties required of them by this act; which compensation to the surveyor and commissioners shall be paid out of any moneys in the treasury, not otherwise appropriated by law.

SECT. 4. *And be it further enacted,* That until the westwardly boundary line of the said reservation shall be finally established, by the agreement and consent of the United States and the state of Virginia, the boundary line designated by an act of congress passed on the twenty-third day of March, one thousand eight hundred and four,\* shall be considered and held as the proper boundary line of the aforesaid reservation.

SECT. 5. *And be it further enacted,* That it shall be the duty of the secretary of state to transmit an authenticated copy of this act to the governor of Virginia within twenty days after its passage. [Approved, June 26, 1812.]

CHAP. 433. [CX.] An act confirming claims to lands in the Mississippi territory, founded on warrants of survey granted by the British or Spanish government.

Persons, &c. claiming lands in the Mississippi territory, by virtue of a British or Spanish warrant, &c. granted prior to the 37th day of Oct. 1798, and, on that day, actually resident, &c. and whose claims have been filed, reported, &c. confirmed in their rights, [† Ante, ch. 144.]

The register and receiver to make out to claimants entitled, &c. certificates of confirmation, &c. directed to the commissioner of the general land office, and patents to be granted, if, &c.

Provido; no person to be entitled to the benefit of this act, who does not appear,

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That every person, and the legal representative of every person, claiming lands in the Mississippi territory, by virtue of a British or Spanish warrant or order of survey, granted prior to the twenty-seventh day of October, one thousand seven hundred and ninety-five, who were, on that day, actually resident in the said territory, and whose claims have been regularly filed with the proper register of the land office east and west of Pearl river, according to law, and reported to congress, agreeably to the fourth section of the act, entitled "An act concerning the sale of the lands of the United States, and for other purposes,"† passed on the thirty-first day of March, one thousand eight hundred and eight, be, and they are hereby, confirmed in their rights to land so claimed. And the register and receiver of public moneys for the district within which the lands may lie, are authorized and required to make out, to such claimant or claimants, entitled thereto by the provisions of this act, a certificate of confirmation; for each of which certificates the register and receiver shall, each, receive one dollar, directed to the commissioner of the general land office; and, if it shall appear to the satisfaction of the said commissioner that such certificates have been fairly obtained, according to the true intent and meaning of this act, then and in that case patents shall be granted in like manner as is provided by law for the other lands of the United States: *Provided,* That no person shall be entitled to the benefit of this act who shall not appear, by the report made to congress as aforesaid, or by the records of the boards of com-

missioners for the said territory, to have been a resident of said territory on the twenty-seventh day of October, one thousand seven hundred and ninety-five; nor shall any person be entitled to the benefit thereof who has received a donation grant from the United States: *Provided also*, That not more than six hundred and forty acres shall, by virtue of this act, be granted to any one claim.

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Sec. to have been a resident of the territory on the 27th of Oct. 1798; nor, &c.

Proviso: not more than 640 acres to any one claim.

SECT. 2. *And be it further enacted*, That nothing in this act contained shall be construed to affect the decisions of the courts of justice in the said territory, heretofore made, respecting the claims, or any part thereof, embraced by the preceding section, or to prevent a judicial decision between the holder of a British patent, legally and fully executed and recorded with the register of the land office east or west of Pearl river, and the persons whose claims are confirmed by the preceding section, where such claims interfere. [*Approved, June 30, 1812.*]

Nothing in this act to affect the decisions of the courts, &c. respecting the claims, &c. or to prevent a judicial decision between the holders of a British patent, &c. and the persons whose claims are confirmed, &c.

CHAP. 434. [CXL] An act to authorize the issuing of treasury notes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized to cause treasury notes, for such sum or sums as he may think expedient, but not exceeding, in the whole, the sum of five millions of dollars, to be prepared, signed, and issued, in the manner hereinafter provided.

The president to cause treasury notes to be issued, for not exceeding \$5,000,000 of dollars.

SECT. 2. *And be it further enacted*, That the said treasury notes shall be reimbursed by the United States at such places, respectively, as may be expressed on the face of the said notes, one year, respectively, after the day on which the same shall have been issued: from which day of issue they shall bear interest, at the rate of five and two-fifths per centum a year, payable to the owner and owners of such notes, at the treasury, or by the proper commissioner of loans, at the places and times respectively designated on the face of said notes for the payment of principal.

The notes to be reimbursed, within a year, at the places mentioned, &c.

The notes to bear an interest of 5 and 2-5ths per cent. from the day of issue, &c.

SECT. 3. *And be it further enacted*, That the said treasury notes shall be, respectively, signed, in behalf of the United States, by persons to be appointed for that purpose by the president of the United States: two of which persons shall sign each note, and shall, each, receive, as a compensation for that service, at the rate of one dollar and twenty-five cents for every hundred notes thus signed by them, respectively; and the said notes shall likewise be countersigned by the commissioner of loans for that state where the notes may respectively be made payable.

The treasury notes to be signed by persons to be appointed by the president, who are to receive 1 doll. 25 cts. for every 100 notes signed, &c.

The notes to be countersigned by the commissioner of loans, &c.

SECT. 4. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to cause to be issued such portion of the said treasury notes as the president may think expedient, in payment of supplies, or debts due by the United States, to such public creditors, or other persons, as may choose

The secretary of the treasury, under the direction of the president, to cause a portion of said notes to be issued, in payment of supplies or debts, to such as choose to receive them, &c.

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The secretary of the treasury authorized, &c., to borrow on the credit of the notes, &c.

The notes transferrable by delivery and assignment, &c.

The treasury notes to be received in payment of duties, taxes, public lands, &c. On every payment for treasury notes, &c., or debt to be given for principal and interest, &c., the interest to be computed at the rate of one cent and a half per day on every 100 dollars, &c.

Persons making payment to the United States in treasury notes, or to the hands of a collector, &c., to give duplicate certificates, &c., and the collector, on payment, &c., to receive credit, &c.

The collector to be charged with interest from the time of receiving until the time of paying over the notes, &c., but no such charge or deduction to be made with respect to banks which receive the notes paid as specie, and give credit to the treasury for the amount, &c.

The commissioners of the sinking fund &c.

to receive such notes in payment, as aforesaid, at par: And the secretary of the treasury is further authorized, with the approbation of the president of the United States, to borrow, from time to time, not under par, such sums as the president may think expedient, on the credit of such notes. And it shall be a good execution of this provision to pay such notes to such bank or banks as will receive the same at par and give credit to the treasurer of the United States for the amount thereof, on the day on which the said notes shall thus be issued and paid to such bank or banks, respectively.

SECT. 5. *And be it further enacted*, That the said treasury notes shall be transferrable by delivery, and assignment endorsed thereon by the person to whose order the same shall, on the face thereof, have been made payable.

SECT. 6. *And be it further enacted*, That the said treasury notes, wherever made payable, shall be every where received in payment of all duties and taxes laid by the authority of the United States, and of all public lands sold by the said authority. On every such payment, credit shall be given for the amount of both the principal and the interest which, on the day of such payment, may appear due on the note or notes thus given in payment. And the said interest shall, on such payments, be computed at the rate of one cent and one-half of a cent per day on every hundred dollars of principal, and each month shall be computed as containing thirty days.

SECT. 7. *And be it further enacted*, That any person making payment to the United States in the said treasury notes, into the hands of any collector, receiver of public moneys, or other public officer or agent, shall, on books kept according to such forms as shall be prescribed by the secretary of the treasury, give duplicate certificates of the number and respective amount of principal and interest of each and every treasury note thus paid by such person; and every collector, receiver of public moneys, or other public officer or agent, who shall thus receive any of the said treasury notes in payment, shall, on payment of the same into the treasury, or into one of the banks where the public moneys are, or may be, deposited, receive credit both for the principal and for the interest, computed as aforesaid, which, on the day of such last mentioned payment, shall appear due on the note or notes thus paid in: And he shall be charged for the interest accrued on such note or notes from the day on which the same shall have been received by him in payment, as aforesaid, to the day on which the same shall be paid by him as aforesaid: *Provided always*, That no such charge or deduction shall be made with respect to any bank into which payments as aforesaid may be made to the United States, either by individuals or by collectors, receivers, or other public officers or agents, and which shall receive the same as specie, and give credit to the treasurer of the United States for the amount thereof, including the interest accrued and due on such notes on the day on which the same shall have been thus paid into such bank on account of the United States.

SECT. 8. *And be it further enacted*, That the commissioners of the sinking fund be, and they are hereby, authorized and di-

rected to cause to be reimbursed and paid the principal and interest of the treasury notes which may be issued by virtue of this act, at the several time and times when the same, according to the provisions of this act, should be thus reimbursed and paid. And the said commissioners are further authorized to make purchases of the said notes, in the same manner as of other evidences of the public debt, and at a price not exceeding par, for the amount of the principal and interest due at the time of purchase on such notes. So much of the funds constituting the annual appropriation of eight millions of dollars, for the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest and such part of the principal of the said debt as the United States are now pledged annually to pay and reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement or purchase of the principal, of the said notes. And so much of any moneys in the treasury, not otherwise appropriated, as may be necessary for that purpose, is hereby appropriated for making up any deficiency in the funds thus pledged and appropriated for paying the principal and interest as aforesaid.

SECT. 9. *And be it further enacted*, That a sum of twenty thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, be, and the same is hereby, appropriated, for defraying the expense of preparing, printing, engraving, signing, and otherwise incident to the issuing of the treasury notes authorized by this act.

SECT. 10. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause, or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any note, in imitation of, or purporting to be, a treasury note aforesaid; or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering, any treasury note issued as aforesaid; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited, note, purporting to be a treasury note as aforesaid, knowing the same to be falsely forged or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered treasury note, issued as aforesaid, knowing the same to be falsely altered, every such person shall be deemed and adjudged guilty of felony, and, being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labor for a period not less than three years, nor more than ten years, and be fined in a sum not exceeding five thousand dollars.

[Approved, June 30, 1812.]

CHAP. 435. [CXII.] An act for imposing additional duties upon all goods, wares, and merchandise, imported from any foreign port or place, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That

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rected to cause the principal and interest of the treasury notes to be reimbursed, &c. The commission is authorized to make purchases of the notes, &c. for the amount of the principal and interest due, &c. So much of the annual appropriation of \$8,000,000 of dollars as may be wanted, &c. for the payment of interest and reimbursement of the principal of the notes; and moneys in the treasury appropriated for making up any deficiency, &c.

\$20,000 dolls. appropriated for the expense of issuing the treasury notes authorized by this act.

Imprisonment and hard labor, for not less than 3, nor more than 10 years, and fine not exceeding \$5,000 dolls. for forging, counterfeiting, falsely altering, or for passing or uttering any forged, counterfeit, or falsely altered, treasury note, &c.

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**Additional duty of 100 per cent. on the permanent duties now imposed by law upon goods, &c. imported from any foreign port or place.**

**An addition of 10 per cent. to the duties imposed by this act, in respect to goods, &c. imported in vessels not of the United States, &c.**

**Additional duty of 1 doll. 50 cts. per ton on vessels belonging wholly or in part to the subjects of foreign powers, &c.**

**The additional duties laid by this act to be collected under the same regulations as prescribed by law, &c.**

[\* See chap. 199, vol. 3.]

**This act to continue in force until the 17th of Feb. 1816.**

**Provido; the additional duties to be collected on all goods, &c. previously imported.**

an additional duty of one hundred per centum upon the permanent duties now imposed by law, upon goods, wares, and merchandise, imported into the United States, shall be levied and collected upon all goods, wares, and merchandise, which shall, from and after the passing of this act, be imported into the United States from any foreign port or place.

**SECT. 2.** *And be it further enacted,* That an addition of ten per centum shall be made to the several duties imposed by this act, in respect to all such goods, wares, and merchandise, as shall, from and after the passing of this act, be imported in ships or vessels not of the United States.

**SECT. 3.** *And be it further enacted,* That on all ships or vessels belonging wholly or in part to the subjects of foreign powers, which shall be entered in the United States, or the territories thereof, there shall be paid an additional duty, at the rate of one dollar and fifty cents per ton.

**SECT. 4.** *And be it further enacted,* That the additional duties laid by this act shall be levied and collected in the same manner, and under the same regulations and allowances, as to drawbacks, mode of security, and time of payment, respectively, as are prescribed by law in relation to the duties now in force, on the articles on which the said additional duties are laid by this act.\*

**SECT. 5.** *And be it further enacted,* That this act shall continue in force so long as the United States shall be engaged in war with Great Britain, and until the expiration of one year after the conclusion of peace, and no longer: *Provided, however,* That the additional duties laid by this act shall be collected on all such goods, wares, and merchandise, as shall have been previously imported. [Approved, July 1, 1812.]

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**CHAP. 436. [CXIII.]** This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

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[† Private and obsolete.]

**CHAP. 437. [CXIV.]** An act for the relief of James Wilkinson.†

**Brig. gen. Wilkinson allowed, from the 16th March, 1802, for the transportation of baggage, &c. the same compensation as is now allowed to other brigadier generals, &c.**

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from the sixteenth day of March, one thousand eight hundred and two, brigadier general Wilkinson be, and he hereby is, allowed for the transportation of his baggage, and for fuel, the same emolument and compensation as has been, and now is, allowed to the other brigadier generals in the service of the United States. [Approved, July 1, 1812.]

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**CHAP. 438. [CXV.]** An act to facilitate the transfer of the stock created under an act passed on the tenth of November, one thousand eight hundred and three.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That

the stock created under the act, entitled "An act authorizing the creation of a stock to the amount of eleven millions two hundred and fifty thousand dollars, for the purpose of carrying into effect the convention of the thirtieth of April, one thousand eight hundred and three, between the United States of America and the French republic, and making provision for the payment of the same,"\* from and after the passing of this act, shall be transferrable in the same manner as the other stocks of the United States are or shall be transferrable from the books of the treasury to the books of any commissioner, and from the books of one commissioner to those of another commissioner, or to those of the treasury. [*Approved, July 1, 1812.*]

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The stock created under the act authorizing the creation of a stock, &c. for carrying into effect the convention, &c. between the United States and the French republic, &c. to be transferrable as other stocks, &c. [\* Chap. 366, vol. 3.]

CHAP. 439. [CXVI.] An act for the relief of Anna Young, heiress and representative of colonel John Durkee, deceased.†

(† Private and obsolete.)

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the department of war be, and they are hereby, authorized and required to settle the account of colonel John Durkee, deceased, and to allow Anna Young, his sole heiress and representative, his seven years' half pay, and interest thereon, to be paid out of any moneys in the treasury, not otherwise appropriated. [*Approved, July 1, 1812.*]

The accounting officers of the war department required to settle the account of col. John Durkee, deceased, and to allow Anna Young, his sole heiress, &c. his seven years' half pay, &c.

CHAP. 440. [CXVII.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 441. [CXVIII.] An act giving validity to the sale of certain tracts of public lands sold in the western district of the territory of Orleans, now state of Louisiana.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the sale of the several tracts of public lands sold in the month of January, one thousand eight hundred and twelve, at the public sales, held under the superintendence of the register of the land office and the principal deputy surveyor of the western district of the territory of Orleans, (now state of Louisiana,) be, and the same is hereby, made good and valid, to all intents and purposes, any law to the contrary notwithstanding: And the purchasers of the said tracts shall, severally, on completing the payment of the purchase money, according to law, be entitled to receive a patent or patents for the lands so purchased and paid for, as in case of other lands sold by the United States; the first instalment of the purchase money shall be considered as due and payable at ten days after the receiver of public moneys for the district within which the lands lie, shall have entered on the discharge of the duties of his office. [*Approved, July 1, 1812.*]

The sale of the tracts of land sold in January, 1812, at public sales, under the superintendence of the register and principal deputy surveyor of the western district of Orleans, made good and valid, &c. The purchasers of the tracts, on completing the payment of the purchase money, to be entitled to receive patents, &c. The first instalment of the purchase money to be considered due and payable ten days after the receiver, &c. has entered on the discharge of the duties of his office.

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[\* See orig. act, of 2d Jan. 1813; ante, chap. 334.]

The president authorized to raise one additional company of rangers, when he may deem it necessary for the public service, &c.

11,250 dolls. appropriated for defraying the expenses of the additional company of rangers.

**CHAP. 442. [CXIX.]** An act supplementary to "An act authorizing the president of the United States to raise certain companies of rangers for the protection of the frontier of the United States."

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to raise one additional company of rangers, when he may deem it necessary for the public service, under the same provisions, conditions, and restrictions, of the act to which this is a supplement.

**SECT. 2.** *And be it further enacted,* That, for defraying the expenses thereof, the sum of eleven thousand two hundred and fifty dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

[Approved, July 1, 1812.]

**CHAP. 443. [CXX.]** An act authorizing the president of the United States to lease, for a term of years, any part of the reservations of public ground in the city of Washington.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to take possession of the whole of the reservations of public grounds in the city of Washington, and lease them out, for a term not exceeding ten years, on such terms and conditions as in his judgment may best effect the improvement of the said grounds, for public walks, botanic gardens, or other public purposes. [Approved, July 5, 1812.]

The president authorized to take possession of the whole of the reservations of public grounds in the city of Washington, and lease them out, &c.

**CHAP. 444. [CXXI.]** An act making an appropriation for the purpose of discharging all the outstanding claims for the construction and repair of the capitol and the president's house; for the compensation of the late surveyor of the public buildings, and for furniture for the different apartments of the capitol, and for other purposes.†

[† Chiefly obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for the purpose of satisfying all outstanding claims for services performed and materials furnished for the construction and repair of the capitol and president's house, including therein the sum of two thousand five hundred dollars for the compensation of the late surveyor of the public buildings, to the first day of July, one thousand eight hundred and eleven, when his duties in that capacity ceased; for furniture for the different apartments of the capitol, and for contingent expenses relating thereto; the sum of fourteen thousand five hundred and seventy-three dollars be, and the same is hereby, appropriated, to be applied to the discharge of the claims beforementioned, and to no other purpose whatsoever.

**SECT. 2.** *And be it further enacted,* That a sum, not exceeding one thousand dollars, be, and the same is hereby, appropriated

14,573 dolls. appropriated for satisfying all outstanding claims for service, and materials, &c. for the construction and repair of the capitol and president's house, for compensation of the surveyor of the public buildings, for furniture for the apartments of the capitol, &c.

Not exceeding 1,000 doll. appropriated for

for the purpose of enabling the president of the United States to return to their native country the two Italian sculptors, lately employed on the public buildings, and to close the original contract made with them on behalf of the United States. 1812.

SECT. 3. *And be it further enacted*, That the superintendent of the city of Washington be authorized to contract for the completion of the sculpture in the south wing of the capitol, under the direction of the president of the United States, and that the sum of four thousand dollars be appropriated towards defraying the expense of the same.

SECT. 4. *And be it further enacted*, That a sum, not exceeding four thousand dollars, be, and the same is hereby, appropriated for the completing the sculpture and the work on the galleries of the senate chamber, the railing of the stairs, and minor works, deficient in the east part of the north wing of the capitol, and for temporary repairs to the roof.

SECT. 5. *And be it further enacted*, That the aforesaid sums shall be paid out of any moneys in the treasury, not otherwise appropriated. [Approved, July 5, 1812.]

enabling the president to return to their native country the two Italian sculptors lately employed, &c.

The superintendent of the city of Washington authorized to contract for the completion of the sculpture in the south wing of the capitol: 4,000 dollars appropriated, &c.

Not exceeding 4,000 dollars appropriated for completing the sculpture and work on the galleries of the senate chamber, the railing of the stairs, &c.

The sums appropriated to be paid out of moneys in the treasury, &c.

#### CHAP. 445. [CXXII.] An act concerning invalid pensioners.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of war be, and he is hereby, directed to place the following named persons on the pension list of invalid pensioners of the United States, who shall be entitled to, and receive, pensions, according to the rates, and commencing at the times, herein mentioned; that is to say:

The secretary of war directed to place the persons named on the pension list, according to the rates, &c. mentioned.

Samuel Allen, at the rate of two dollars per month, to commence on the fifteenth of November, one thousand eight hundred and eleven.

Names of persons directed to be placed on the pension list, and rates of pensions, &c.

Nehemiah Leavitt, at the rate of two dollars and fifty cents per month, to commence on the twenty-eighth of December, one thousand eight hundred and eleven.

William Powers, at the rate of two dollars and fifty cents per month, to commence on the seventh of January, one thousand eight hundred and twelve.

William Cushing, at the rate of ten dollars per month, to commence on the twenty-fifth of November, one thousand eight hundred and eleven.

William Leaver, alias Lavear, at the rate of two dollars and fifty cents per month, to commence on the sixth day of December, one thousand eight hundred and eleven.

Oliver Russel, at the rate of two dollars and fifty cents per month, to commence on the sixth day of April, one thousand eight hundred and eight.

Joel Fox, at the rate of two dollars and fifty cents per month, to commence on the twenty-seventh of February, one thousand eight hundred and eleven.

Isaac Durand, at the rate of two dollars and fifty cents per



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Names of persons  
directed to be  
placed on the  
pension list, and  
rates of pen-  
sions, &c.

month, to commence on the thirty-first of August, one thousand eight hundred and eleven.

Aaron Peck, at the rate of three dollars thirty-three and one-third cents per month, to commence on the twentieth of May, one thousand eight hundred and eleven.

Hezekiah Bailey, at the rate of five dollars per month, to commence on the nineteenth of January, one thousand eight hundred and twelve.

Nathan Ford, at the rate of two dollars per month, to commence on the seventeenth of October, one thousand eight hundred and eleven.

Jonas Hobart, at the rate of two dollars and fifty cents per month, to commence on the sixteenth day of November, one thousand eight hundred and ten.

John Philips, at the rate of four dollars per month, to commence on the tenth day of July, one thousand eight hundred and eleven.

Elisha Fanning, at the rate of two dollars and fifty cents per month, to commence on the twenty-sixth December, one thousand eight hundred and eleven.

Samuel Leonard, at the rate of two dollars and fifty cents per month, to commence on the ninth day of March, one thousand eight hundred and eleven.

Sylvester Tilton, at the rate of two dollars and fifty cents per month, to commence on the third of February, one thousand eight hundred and twelve.

Mahlon Ford, at the rate of twenty dollars per month, to commence on the seventh day of March, one thousand eight hundred and twelve.

Randolph Clarkson, at the rate of two dollars and fifty cents per month, to commence on the sixteenth day of March, one thousand eight hundred and twelve.

Stephen Carter, at the rate of three dollars and seventy-five cents per month, to commence on the sixteenth day of February, one thousand eight hundred and eleven.

George Pierson, at the rate of two dollars per month, to commence on the twenty-seventh January, one thousand eight hundred and twelve.

Andrew Bartle, at the rate of two dollars and fifty cents per month, to commence on the twelfth day of October, one thousand eight hundred and eleven.

Philip Krugh, at the rate of two dollars and fifty cents per month, to commence on the ninth day of December, one thousand eight hundred and eleven.

Andrew Johnson, at the rate of five dollars per month, to commence on the fifteenth day of February, one thousand eight hundred and twelve.

John Harbeson, at the rate of three dollars thirty-three and one-third cents per month, to commence on the twenty-fifth February, one thousand eight hundred and twelve.

Edward Leary, at the rate of five dollars per month, to commence on the first day of August, one thousand eight hundred and eleven.

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Names of persons  
directed to be  
placed on the  
pension list, and  
dates of pensions,  
&c.

**Daniel McCarty**, at the rate of four dollars per month, to commence on the sixteenth February, one thousand eight hundred and eleven.

**Thomas Rogers**, at the rate of two dollars and fifty cents per month, to commence on the fourth day of April, one thousand eight hundred and eleven.

**Reuben Plunket**, at the rate of two dollars and fifty cents per month, to commence on the seventh June, one thousand eight hundred and eleven.

**James Bridget**, at the rate of two dollars and fifty cents per month, to commence on the seventh day of October, one thousand eight hundred and eleven.

**Michael Reap**, at the rate of two dollars and fifty cents per month, to commence on the twentieth day of April, one thousand eight hundred and eleven.

**Henry Weems**, at the rate of five dollars per month, to commence on the fifteenth November, one thousand eight hundred and eleven.

**Malcolm Keys**, at the rate of four dollars per month, to commence on the fifteenth November, one thousand eight hundred and eleven.

**James Armstrong**, at the rate of five dollars per month, to commence on the fifteenth November, one thousand eight hundred and eleven.

**John Martin**, at the rate of two dollars and fifty cents per month, to commence on the fifteenth day of November, one thousand eight hundred and eleven.

**Robert Elder**, at the rate of three dollars thirty-three and a third cents per month, to commence on the nineteenth July, one thousand eight hundred and eleven.

**Jasper Tomiton**, at the rate of two dollars and fifty cents per month, to commence on the tenth day of December, one thousand eight hundred and eleven.

**Robert Patterson**, at the rate of twenty-five dollars per month, to commence on the twelfth of July, one thousand eight hundred and eleven.

**Virgil Poe**, at the rate of two dollars and fifty cents per month, to commence on the twenty-third September, one thousand eight hundred and eleven.

**John Jacobs**, at the rate of five dollars per month, to commence on the fifth July, one thousand eight hundred and eleven.

**Thomas Hickman**, at the rate of two dollars per month, to commence on the twelfth of January, one thousand eight hundred and twelve.

**Joseph Shaw**, at the rate of two dollars per month, to commence on the thirteenth January, one thousand eight hundred and twelve.

**Joseph Todd**, at the rate of two dollars per month, to commence on the fourteenth January, one thousand eight hundred and twelve.

**Dennis Laughlan**, at the rate of two dollars and fifty cents

**1812.** per month, to commence on the twenty-fourth August, one thousand eight hundred and eleven.

Names of persons directed to be placed on the pension list, and rates of pensions, &c.

George Adams, at the rate of five dollars per month, to commence on the twenty-ninth January, one thousand eight hundred and twelve.

Samuel Newell, at the rate of eight dollars per month, to commence on the second of March, one thousand eight hundred and eleven.

Thomas Wyatt, at the rate of two dollars and fifty cents per month, to commence on the twenty-fourth of July, one thousand eight hundred and eleven.

Perry Floyd, at the rate of two dollars and fifty cents per month, to commence on the fifteenth of February, one thousand eight hundred and twelve.

John Kirk, at the rate of two dollars and fifty cents per month, to commence on the twenty-first of September, one thousand eight hundred and eleven.

James Crawford, at the rate of six dollars per month, to commence on the twelfth of September, one thousand eight hundred and eleven.

William Haile, at the rate of one dollar sixty-six and two-thirds cents per month, to commence on the nineteenth of November, one thousand eight hundred and eleven.

Joseph Gilmore, at the rate of one dollar and seventy-five cents per month, to commence on the ninth day of October, one thousand eight hundred and ten.

Ethelred Cobb, at the rate of two dollars and fifty cents per month, to commence on the nineteenth November, one thousand eight hundred and eleven.

John Taylor, at the rate of three dollars and seventy-five cents per month, to commence on the twelfth of March, one thousand eight hundred and twelve.

John Reynolds, at the rate of three dollars per month, to commence on the thirteenth July, one thousand eight hundred and ten.

Henry M'Farlane, at the rate of two dollars per month, to commence on the eleventh February, one thousand eight hundred and nine.

John Elliott, at the rate of two dollars and fifty cents per month, to commence on the twenty-sixth December, one thousand eight hundred and eleven.

John Williams, at the rate of five dollars per month, to commence on the second March, one thousand eight hundred and twelve.

Thomas Scotland, at the rate of five dollars per month, to commence on the tenth December, one thousand eight hundred and ten.

Luke Guyant, at the rate of five dollars per month, to commence on the twenty-first September, one thousand eight hundred and nine.

Daniel Evans, at the rate of two dollars and fifty cents per month, to commence on the thirtieth March, one thousand eight hundred and twelve.

**Daniel Rady**, at the rate of two dollars and fifty cents per month, to commence on the sixteenth April, one thousand eight hundred and six. 1812.

**John Jordan**, at the rate of seven dollars and fifty cents per month, to commence on the fourteenth December, one thousand eight hundred and eleven. Names of persons directed to be placed on the pension list, and rates of pensions, &c.

**Jacob Seay**, at the rate of five dollars per month, to commence on the sixteenth day of October, one thousand eight hundred and eleven.

**Amos Lewis**, at the rate of two dollars and fifty cents per month, to commence on the twenty-ninth day of October, one thousand eight hundred and eleven.

**Benjamin Fry**, at the rate of five dollars per month, to commence on the seventeenth day of September, one thousand eight hundred and ten.

**Benjamin Codington**, at the rate of two dollars and fifty cents per month, to commence on the twenty-fifth day of April, one thousand eight hundred and twelve.

**John Johnson**, at the rate of three dollars and fifty cents per month, to commence on the sixth day of January, one thousand eight hundred and twelve.

**Patrick Coleman**, at the rate of five dollars per month, to commence on the twelfth day of April, one thousand eight hundred and ten.

**John Garner**, at the rate of two dollars and fifty cents per month, to commence on the twenty-ninth day of February, one thousand eight hundred and twelve.

**John Bair**, at the rate of eight dollars per month, to commence on the eighth day of April, one thousand eight hundred and eleven.

**SECT. 2.** *And be it further enacted*, That the pensions of the following named persons, already placed on the pension list of the United States, whose claims for an increase of pension have been transmitted to congress, pursuant to the act for that purpose,\* be increased to the sums herein, respectively, annexed to their names; the said increase to commence at the times herein-mentioned, and to be instead of the pensions they at present receive; that is to say: The pensions of the persons named to be increased, as specified, &c.

**Joshua Haynes**, at the rate of four dollars per month, to commence on the sixteenth March, one thousand eight hundred and eleven. [\* See ante, ch. 25.]

**Nathaniel Leavitt**, at the rate of five dollars per month, to commence on the sixteenth March, one thousand eight hundred and eleven.

**Ebenezer Carlton**, at the rate of five dollars per month, to commence on the thirteenth day of January, one thousand eight hundred and twelve.

**Robert B. Wilkins**, at the rate of five dollars per month, to commence on the twentieth day of January, one thousand eight hundred and eight.

**James Crummet**, at the rate of five dollars per month, to commence on the nineteenth day of February, one thousand eight hundred and twelve.

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The pensions  
of the persons  
named to be in-  
creased, as spec-  
ified, &c.

**Jotham Nute**, at the rate of five dollars per month, to commence on the eighth day of September, one thousand eight hundred and eight.

**William Warren**, at the rate of seven dollars and fifty cents per month, to commence on the fourth of November, one thousand eight hundred and eleven.

**Jonathan Stevens**, at the rate of two dollars and fifty cents per month, to commence on the seventh of February, one thousand eight hundred and eleven.

**Luke Aldrich**, at the rate of two dollars and fifty cents per month, to commence on the twenty-sixth of October, one thousand eight hundred and eleven.

**Gustavus Aldrich**, at the rate of five dollars per month, to commence on the sixteenth of December, one thousand eight hundred and eleven.

**Levi Chadburn**, at the rate of five dollars per month, to commence on the nineteenth day of March, one thousand eight hundred and twelve.

**Stephen Barnum**, at the rate of five dollars per month, to commence on the third of July, one thousand eight hundred and ten.

**Gershom Donnan**, at the rate of five dollars per month, to commence on the third day July, one thousand eight hundred and ten.

**Daniel Bouton**, at the rate of fifteen dollars per month, to commence on the fourteenth March, one thousand eight hundred and ten.

**Israel Dibble**, at the rate of three dollars per month, to commence on the twenty-second of June, one thousand eight hundred and eleven.

**Heber Smith**, at the rate of five dollars per month, to commence on the seventh of October, one thousand eight hundred and eleven.

**Nathan Hawley**, at the rate of four dollars per month, to commence on the twenty-second of August, one thousand eight hundred and eleven.

**David Hurd**, at the rate of five dollars per month, to commence on the seventh of October, one thousand eight hundred and eleven.

**Amos Skeel**, at the rate of five dollars per month, to commence on the twenty-first of June, one thousand eight hundred and eleven.

**Moses Raymond**, at the rate of five dollars per month, to commence on the eighth November, one thousand eight hundred and eleven.

**Isaac Buell**, at the rate of three dollars and seventy-five cents per month, to commence on the fifteenth of November, one thousand eight hundred and eleven.

**Ransford Avery Ferris**, at the rate of five dollars per month, to commence on the second of March, one thousand eight hundred and twelve.

**Azel Woodworth**, at the rate of five dollars per month, to commence on the thirteenth of February, one thousand eight hundred and twelve.

**Jonathan Woolley**, at the rate of five dollars per month, to commence on the sixteenth day of May, one thousand eight hundred and nine. 1812.

The pensions of the persons named to be increased, as specified, &c.

**Joseph Tyler**, at the rate of five dollars per month, to commence on the eleventh day of May, one thousand eight hundred and nine.

**Nehemiah Pierce**, at the rate of five dollars per month, to commence on the eleventh day of May, one thousand eight hundred and nine.

**Samuel Eyers**, at the rate of five dollars per month, to commence on the eleventh day of May, one thousand eight hundred and nine.

**Oliver Darling**, at the rate of five dollars per month, to commence on the eleventh day of May, one thousand eight hundred and nine.

**Ebenezer McIlvein**, at the rate of five dollars per month, to commence on the eleventh day of May, one thousand eight hundred and nine.

**Daniel Russell**, at the rate of five dollars per month, to commence on the eleventh day of May, one thousand eight hundred and nine.

**Asa Gould**, at the rate of five dollars per month, to commence on the sixteenth day of May, one thousand eight hundred and nine.

**William Hazletine**, at the rate of five dollars per month, to commence on the twelfth day of May, one thousand eight hundred and nine.

**Daniel Brown**, at the rate of five dollars per month, to commence on the eleventh day of May, one thousand eight hundred and nine.

**Amasa Grover**, at the rate of two dollars per month, to commence on the sixteenth day of May, one thousand eight hundred and nine.

**Joseph Huntoon**, at the rate of thirteen dollars thirty-three and one-third cents per month, to commence on the twenty-second of September, one thousand eight hundred and eight.

**Philo Stoddart**, at the rate of three dollars thirty-three and one-third cents per month, to commence on the seventh of October, one thousand eight hundred and eleven.

**Daniel Staunton**, at the rate of three dollars and seventy-five cents per month, to commence on the twelfth day of September, one thousand eight hundred and ten.

**Elijah Knight**, at the rate of five dollars per month, to commence on the first day of August, one thousand eight hundred and nine.

**Nicholas Barth**, alias Barrette, at the rate of eleven dollars and twenty-five cents per month, to commence on the twenty-fourth day of January, one thousand eight hundred and twelve.

**Aaron Stiles**, at the rate of five dollars per month, to commence on the sixteenth of November, one thousand eight hundred and eleven.

**Morris De Camp**, at the rate of four dollars per month, to

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The pensions of the persons named to be increased, as specified, &c.

commence on the seventeenth of April, one thousand eight hundred and twelve.

Ambrose Lewis, at the rate of three dollars and seventy-five cents per month, to commence on the ninth of March, one thousand eight hundred and eleven. [Approved, July 5, 1812.]

CHAP. 446. [CXXIII.] An act confirming grants to lands in the Mississippi territory, derived from the British government of West Florida, not subsequently regranted by the government of Spain or of the United States.

Citizens claiming lands in the Mississippi territory by legally and fully executed grants from the British government of West Florida, whose lands have not been regranted, &c. or claimed, &c. and whose claims have been regularly filed, &c. and are embraced in the report laid before congress, &c. confirmed in their claims, &c.

Provido; nothing in any law to prevent a judicial decision of controversies, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* citizens of the United States claiming lands in the Mississippi territory, by virtue of grants legally and fully executed, derived from the British government of West Florida, whose lands have not been subsequently regranted by the Spanish government, or claimed in right of donation or pre-emption certificates granted by the boards of commissioners east and west of Pearl river, and whose claims have been regularly filed according to law, with the proper register of the land office in the said territory, and are embraced in the report of the commissioners laid before congress, according to law, be, and they are hereby, confirmed in their respective claims, according to the said grants: *Provided,* That nothing in any law of the United States shall be construed to prevent a judicial decision of controversies under the respective claims aforesaid. [Approved, July 5, 1812.]

CHAP. 447. [CXXIV.] An act to admit the entry of vessels of the United States on certain conditions.\*

\* Superseded. See act of 14th April, 1814; ch. 644, post. It is lawful to admit to entry vessels that have been laden in the ports of India, whose masters, &c. have been compelled to give bond to land their cargoes in a port of the United States. *Provido;* the duties on the cargoes to be secured or paid; deposited in public stores, &c. subject to the future disposition of government, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* it shall be lawful to admit to entry any vessel or vessels of the United States which may have been laden in any of the ports of India, and whose master, supercargo, or owner, may have been compelled to give bond, under penalty that their respective cargoes shall be landed in some port of the United States: *Provided,* That the duties on such cargoes be secured or paid agreeably to law, and their cargoes be deposited in public stores, under the care of the collector of the port where such vessel or vessels may arrive, there to remain at the risk and charge of the owner or owners thereof, subject to the future disposition of government in relation to the said vessels and cargoes.

[Approved, July 5, 1812.]

CHAP. 448. [CXXV.] An act making a further appropriation for the defence of the maritime frontier, and for the support of the navy, of the United States †

† Chiefly obsolete.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That*

the sum of five hundred thousand dollars be, and the same is hereby, appropriated, in addition to the sums already appropriated, for the purposes of fortifying and defending the ports, harbors, and maritime frontier, of the United States. **1812.**

**SECT. 2.** *And be it further enacted,* That, for the support of the navy of the United States, that the following sums, in addition to the sums heretofore appropriated for that object, be, and the same is hereby, appropriated; that is to say:

For the purpose of putting and keeping in service, when repaired, the frigates *Constellation*, *Chesapeake*, and *Adams*, seventy-one thousand two hundred and fifty dollars.

For the repairs of vessels which may be damaged in action with the enemy, or by the other operations of war, four hundred thousand dollars.

For the purpose of purchasing, equipping, and putting into service, and keeping and employing therein, such vessels of war as may be captured from the enemy by the vessels of war of the United States, as, in the opinion of the president of the United States, shall be calculated for the public service, four hundred and twenty-eight thousand seven hundred and fifty dollars.

**SECT. 3.** *And be it further enacted,* That no part of the several sums hereby appropriated shall be applied to any other purpose than those above specified, any thing contained in any act of congress to the contrary notwithstanding.

**SECT. 4.** *And be it further enacted,* That the several sums hereby appropriated shall be paid out of any moneys in the treasury, not otherwise appropriated. [*Approved, July 5, 1812.*]

**CHAP. 449. [CXXVI.]** An act authorizing the secretary of the treasury to suspend the payment of certain bills drawn by John Armstrong, late minister of the United States at the court of France, upon the treasury of the United States.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he is hereby, authorized and required to cause to be suspended the payment, at the treasury of the United States, of certain bills drawn by John Armstrong, late minister of the United States at the court of France, in favor of the cashier of the French treasury, amounting to one hundred and fifteen thousand five hundred and thirty-four francs and forty-one hundredths of a franc, for certain claims, arising under the Louisiana convention, in favor of citizens of the United States, which the French government, by virtue of an agreement entered into with said minister, had assumed to pay, until satisfactory proof shall have been exhibited to the accounting officers of the treasury, that the said bills, or a sum equal thereto, have been applied for the purpose of discharging the claims of citizens of the United States against the government of France, which have been liquidated and awarded to them, under the provisions of the convention of the thirtieth day of

800,000 dollars, additional appropriated for fortifying, &c. the ports, &c. and the maritime frontier, &c. Additional sums appropriated for the support of the navy, &c.

For keeping in service the frigates mentioned.

For the repairs of vessels, &c.

For purchasing, equipping, &c. such vessels of war captured from the enemy as may be calculated for the public service, &c.

No part of the sums appropriated to be applied to any other than the specified purposes, &c.

The sums appropriated to be paid out of unappropriated money in the treasury.

The secretary of the treasury required to cause the payment of certain bills drawn by John Armstrong, &c. for certain claims arising under the Louisiana convention, in favor of citizens of the United States, to be suspended, until satisfactory proof, &c.



1812. April, in the year of our Lord one thousand eight hundred and three, between the United States and the French republic.\*

[\*See the convention, page 143, vol. 1.]

[Approved, July 6, 1812.]

CHAP. 450. [CXXVII.] An act to compensate for his services the president pro tempore of the senate, acting as such when the office of vice president of the United States shall be vacant.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the president pro tempore of the senate, who has acted, or may hereafter act, as such when the office of vice president shall be vacant, shall receive, during the period of his services, the same compensation as is allowed by law to the speaker of the house of representatives. [Approved, July 6, 1812.]

The president of the senate pro tempore to receive, &c. the same compensation as the speaker of the house, &c.

CHAP. 451. [CXXVIII.] An act for the safekeeping and accommodation of prisoners of war.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the president of the United States be, and he is hereby, authorized to make such regulations and arrangements for the safekeeping, support, and exchange, of prisoners of war, as he may deem expedient, until the same shall be otherwise provided for by law; and, to carry this act into effect, one hundred thousand dollars be, and the same are hereby, appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, July 6, 1812.]

The president authorized to make such regulations, &c. for the safekeeping, support, &c. of prisoners of war, as he may deem expedient, &c. 100,000 dollars appropriated for carrying this act into effect, &c.

CHAP. 452. [CXXIX.] An act to prohibit American vessels from proceeding to, or trading with, the enemies of the United States, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* no ship or vessel, owned in whole or in part by a citizen or citizens of the United States, shall be permitted to clear out or depart from any port or place within the limits of the United States, or territories thereof, to any foreign port or place, till the owner or owners, agent, factor, freighter, master, or commander, shall have given bond, with sufficient security, in the amount of such ship or vessel and cargo, not to proceed to, or trade with, the enemies of the United States. And if any ship or vessel, owned as aforesaid, shall depart from any port or place within the limits of the United States, or territories thereof, for any foreign port or place, without giving bond, with security aforesaid, such ship or vessel, and cargo, shall be forfeited to the use of the United States; and the owner or owners, freighter, factor, or agent, master or commander, shall, severally, forfeit and pay a sum equal to the value of such ship or vessel and cargo; and

Owners of vessels to give bonds, upon clearing out for a foreign port, not to trade with the enemy, &c.

Vessels departing without giving bond, &c. forfeited.

The owners, &c. to forfeit a sum equal to the value of vessels and cargoes; and

the said master or commander, if privy thereto, and being thereof convicted, shall be liable to a fine not exceeding one thousand dollars, and imprisoned for a term not exceeding twelve months, in the discretion of the court. 1812.

SECT. 2. *And be it further enacted*, That if any citizen or citizens of the United States, or person inhabiting the same, shall transport, or attempt to transport, over land or otherwise, in any wagon, cart, sleigh, boat, or otherwise, naval or military stores, arms, or the munitions of war, or any article of provision, from any place of the United States, to any place in Upper or Lower Canada, Nova Scotia, or New Brunswick, the wagon, cart, sleigh, boat, or the thing by which the said naval or military stores, arms, or munitions of war, or articles of provision, are transported, or attempted to be transported, together with such naval or military stores, arms, or munitions of war, or provisions, shall be forfeited to the use of the United States, and the person or persons aiding or privy to the same shall, severally, forfeit and pay, to the use of the United States, a sum equal in value to the wagon, cart, sleigh, boat, or thing by which the said naval or military stores, arms, or munitions of war, or articles of provision, are transported, or are attempted to be transported; and shall, moreover, be considered as guilty of a misdemeanor, and be liable to be fined in a sum not exceeding five hundred dollars, and imprisoned for a term not exceeding six months, in the discretion of the court: *Provided*, That nothing herein contained shall extend to any transportation for the use, or on account, of the United States, or the supply of its troops or armed force.

SECT. 3. *And be it further enacted*, That the collectors of the several ports of the United States be, and the same are hereby, authorized to seize and stop naval or military stores, arms, or the munitions of war, or any articles of provision, and ship or vessel, wagon, cart, sleigh, boat, or thing by which any article prohibited as aforesaid is shipped or transported, or attempted to be shipped or transported, contrary to the provisions of this act.

SECT. 4. *And be it further enacted*, That no ship or vessel belonging to any citizen or citizens, subject or subjects, of any state or kingdom in amity with the United States, except such as, at the passage of this act, shall belong to the citizen or citizens, subject or subjects of such state or kingdom, or which shall hereafter be built in the limits of a state or kingdom in amity with the United States, or purchased by a citizen or citizens, subject or subjects, of a state or kingdom in amity with the United States aforesaid, from a citizen or citizens of the United States, shall be admitted into any port or place of the United States, unless forced by stress of weather, or for necessary repairs; and any ship or vessel, belonging to a citizen or citizens, subject or subjects, of any state or kingdom in amity with the United States, as aforesaid, except such ships and vessels as are above excepted, which shall, from and after the first day of November next, enter, or attempt to enter, any port or place aforesaid, the same, with her cargo, shall be forfeited to the use of the United States.

masters, &c.  
privy, &c. liable  
to fine and im-  
prisonment, &c.

Citizens or in-  
habitants, trans-  
porting, &c. in  
any wagon,  
sleigh, &c. mu-  
nitions of war,  
provisions, &c.  
the whole to be  
forfeited, and  
persons aiding  
or privy thereto  
to forfeit a sum  
equal in value,  
&c. and liable to  
fine and impris-  
onment, &c.

*Provided*; nothing  
herein to extend  
to any trans-  
portation for the  
use, &c. of the  
United States,  
&c.  
The collectors of  
the ports, &c.  
authorized to  
seize and stop  
naval or milita-  
ry stores, &c.

No vessels be-  
longing to citi-  
zens or subjects  
of any state or  
kingdom in ami-  
ty, &c. except  
such as, at the  
passage of this  
act, belong to  
such citizens or  
subjects, or  
hereafter built  
within the limits  
of such state or  
kingdom, or &c.  
to be admitted  
into any port,  
&c. of the United  
States, unless  
&c.  
Vessels belong-  
ing to citizens  
or subjects of  
states or king-  
doms in amity,  
&c. not excepted,  
&c. entering,  
&c. with their  
cargoes, to be  
forfeited, &c.

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British packets, &c. departing from any port of the United Kingdom, &c. on or before the 1st Sept. 1812, permitted to enter and depart, &c.

Proviso; nothing herein to affect cartels, or flags of truce.

The president authorized to give, at any time within six months, &c. passport for the safe transportation of property of British subjects, &c.

Citizens or residents, &c. receiving a license from the British government, &c. for leave to carry merchandise, &c. to the British dominions, to forfeit twice the value, &c. and liable to fine and imprisonment.

**SECT. 5.** *And be it further enacted,* That any British packet, or vessel with despatches, destined for the United States, and which shall have departed from any port or place in the United Kingdom of Great Britain and Ireland, or its dependencies, on or before the first day of September next, shall not be liable to be captured or condemned, but the same shall be permitted to enter and depart from any port or place in the United States: *Provided,* That nothing herein contained shall be construed to affect any cartel, or vessel with flag of truce.

**SECT. 6.** *And be it further enacted,* That the president of the United States be, and he is hereby, authorized to give, at any time within six months after the passage of this act, passports for the safe transportation of any ship or other property belonging to British subjects, and which is now within the limits of the United States.

**SECT. 7.** *And be it further enacted,* That every person, being a citizen of the United States, or residing therein, who shall receive, accept, or obtain, a license from the government of Great Britain, or any officer thereof, for leave to carry any merchandise, or send any vessel, into any port or place within the dominions of Great Britain, or to trade with any such port or place, shall, on conviction, for every such offence, forfeit a sum equal to twice the value of any such ship, merchandise, or articles of trade, and shall, moreover, be deemed guilty of a misdemeanor, and be liable to be imprisoned, not exceeding twelve months, and to be fined, not exceeding one thousand dollars.

[Approved, July 6, 1812.]

[\* See orig. act, of 6th July, 1798; ch. 83, vol. 3.]

Nothing in the proviso contained in the act respecting alien enemies to extend to any treaty which has expired, &c. when the president's proclamation issues.

[7Ch. 83, vol. 3.]

**CHAP. 453. [CXXX.]** An act supplementary to the act, entitled "An act respecting alien enemies."\*

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That nothing in the proviso contained in the act, entitled "An act respecting alien enemies,"† approved on the sixth day of July, one thousand seven hundred and ninety-eight, shall be extended, or construed to extend, to any treaty, or to any article of any treaty, which shall have expired, or which shall not be in force, at the time when the proclamation of the president shall issue.

[Approved, July 6, 1812.]

[† Obsolete.]

**CHAP. 454. [CXXXI.]** An act making additional appropriations for the military establishment, and for the Indian department, for the year one thousand eight hundred and twelve.‡

Additional sums appropriated for defraying expenses incurred under the acts mentioned, &c.

[§ Ante, ch. 369.]

[¶ Ante, ch. 415.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for defraying the expenses incurred, and to be incurred, under the several acts, entitled "An act to establish a quartermaster's department, and for other purposes,"§ and an act to amend the same,|| "An act making further provision for the corps of engi-

neers,"\* and "An act making further provision for the army of the United States,"† for the Indian department, and for satisfying certain outstanding claims, there be, and hereby is, appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated, in addition to the sums already appropriated for the said objects, respectively, the following sums; that is to say:

For the pay of the army, seventy-two thousand five hundred and ninety-six dollars. For the pay of the army.

For forage, four thousand seven hundred and twenty-two dollars. For forage.

For subsistence, six thousand two hundred and fifty dollars. For subsistence.

For clothing, three thousand seven hundred and forty-five dollars. For clothing.

For clerk hire and stationery, in the offices of the quartermaster general, and commissary general of purchases, three thousand one hundred and fifty dollars. For clerk hire and stationery in the offices of quartermaster general, &c.

For the salary of the commissary general of purchases, and compensations of the deputy commissaries, six thousand five hundred dollars. For salary of the commissary general of purchases, &c.

For contingent expenses of the Indian department, comprising the employment of temporary agents, presents to the Indians, and transportation, twenty thousand dollars. For contingent expenses of the Indian department, &c.

For the payment of such balances as have been, or may be, ascertained, from actual settlements made by the accountant of the department of war, and which cannot be discharged out of any existing appropriations, five thousand dollars. For the payment of such balances, &c. as cannot be discharged out of existing appropriations.

[Approved, July 6, 1812.]

CHAP. 455. [CXXXII.] An act fixing the time for the next meeting of congress.

[This act provides that the next meeting of congress shall take place on the first Monday of November, 1812. Approved, July 6, 1812.]

CHAP. 456. [CXXXIII.] An act respecting the pay of the army of the United States.‡

[§ See the note at the end of ch. 760, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the officers, noncommissioned officers, musicians, and privates, of the army of the United States, shall receive the same pay, forage, rations, clothing, and other emoluments, as the officers of the same grade and corps, noncommissioned officers, musicians, and privates, are entitled to by the act, entitled "An act to raise, for a limited time, an additional military force,"§ passed April twelfth, one thousand eight hundred and eight; and to the aid de camp of a brigadier, to a brigade quartermaster, brigade inspector, and adjutant, there shall be allowed forage for one horse only, or, in lieu thereof, ten dollars per month; and to the brigade

The officers, privates, &c. of the army, to receive the same pay, forage, rations, &c. as the officers, privates, &c. are entitled to by the act to raise, for a limited time, an additional military force, &c. [§ Ante, ch. 147.]

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major, under the act passed January the eleventh, one thousand eight hundred and twelve, there shall be allowed forage for one horse, or, in lieu thereof, ten dollars per month; and the pay of a quartermaster sergeant shall be nine dollars per month.

[Approved, July 6, 1812.]

CHAP. 457. [CXXXIV.] An act supplementary to the act, entitled "An act giving further time to the purchasers of public lands northwest of the river Ohio to complete their payments."

[\* See orig. act, of 23d April, 1812; ante, chap. 387.]

The provisions of the act referred to, extended to the purchasers of the fractional sections, &c. classed together for sale, according to the 9th sec. of the act mentioned, notwithstanding, &c. [† Ch. 388, vol. 3.] [‡ It ought to be the 26th.]

Assignees of original purchasers of lands purchased prior to the 1st of April, 1808, entitled to the benefit of the act and section referred to, in every case where, &c. [§ Ante, ch. 387.]

In cases where tracts, &c. purchased prior to the 1st of April, 1808, not exceeding 640 acres, unless, &c. have, since the 1st of April, 1812, or may have, before the 1st of Aug. 1812, reverted, &c. for default of payment, the persons claiming, &c. may re-enter; moneys paid to be placed to credit, &c. and repurchasers shall be allowed the same benefit of the extension of the time of payment, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the provisions of the act to which this act is a supplement shall be, and they are hereby, extended to the several purchasers of the fractional sections which were, by the direction of the secretary of the treasury, classed together for sale, according to the ninth section of an act, entitled "An act making provision for the disposal of the public lands in the Indiana territory, and for other purposes,"† passed on the twentieth of March, one thousand eight hundred and four, notwithstanding the quantity of land contained in any one tract, composed of such fractional sections, so classed together, and purchased by a single contract, shall exceed six hundred and forty acres.

SECT. 2. *And be it further enacted,* That the assignee or assignees of any original purchaser of land from the United States, the lands being purchased prior to the first day of April, one thousand eight hundred and eight, shall be entitled to the benefit of the provisions of the act to which this act is a supplement,§ and the last preceding section, in every case where it shall appear to the satisfaction of the register and receiver of public moneys of the district within which the land may lie, that the assignment by which he or they so claim was bona fide made prior to the passing of the aforesaid act, that the whole lands claimed by virtue of such assignment does not exceed six hundred and forty acres, unless it comes within the provision of the preceding section, and that the lands, or some one tract thereof, is inhabited and cultivated by or for the use of the assignee or assignees.

SECT. 3. *And be it further enacted,* That in every case where any tract or tracts of land, purchased prior to the first day of April, one thousand eight hundred and eight, not exceeding six hundred and forty acres, unless such tract shall come within the provision of the first section of this act, has, since the first day of April last, reverted, or that may, before the first day of August next, revert, to the United States, for default of payment, the person or persons claiming such tract or tracts, whether as an assignee or an original purchaser, may again re-enter the same; and all moneys which such assignee or original purchaser may have paid shall be replaced to his credit, by the register and receiver of public moneys of the district in which the lands may lie; and such repurchaser or repurchasers shall be allowed the same benefit of the extension of the time of payment, provided by the

ast to which this is a supplement, as though no such reversion had occurred: *Provided*, Such assignee or assignees, original purchaser or purchasers, shall make, to the proper land officer, application for such re-entry, on or before the first day of September next, and that the lands so re-entered shall not have been resold previous to such application.

[*Approved, July 6, 1812.*]

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*Providing*, application to be made to the proper land officer for re-entry on or before the 1st Sept. 1812, and if the lands have not been resold, &c.

CHAP. 458. [CXXXV.] An act authorizing a subscription for the old six per cent. and deferred stocks, and providing for an exchange of the same.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That a subscription to the full amount of the old six per cent. and deferred stocks be, and the same is hereby, proposed to the proprietors thereof; for which purpose books shall be opened at the treasury of the United States, and by the several commissioners of loans, on the first day of October next, to continue open till the seventeenth day of March ensuing, inclusively, the fourteen last days of each quarter excepted, for such part of the above-mentioned stocks as shall, on the day of subscription, stand on the books of the treasury and of the several commissioners of loans, respectively; which subscription shall be effected by a transfer to the United States, in the manner provided by law for such transfers, of the credit or credits standing on the said books, and by a surrender of the certificates of the stock subscribed.

Books to be opened at the treasury for a subscription to the old six per cent. and deferred stocks of the United States, &c.

The subscription to be effected by a transfer to the United States, in the manner provided by law for transfer of credits, &c.

Terms upon which subscriptions may be made.

SECT. 2. *And be it further enacted*, That for such part of the amount of old six per cent. or deferred stock, thus subscribed, as shall remain unredeemed on the day of such subscription, credits shall be entered to the respective subscribers, on the books of the treasury, or of the commissioners of loans where such subscription shall have been made, and the subscriber or subscribers shall be entitled to receive a certificate or certificates, purporting that the United States owe, to the holder or holders thereof, his, her, or their, assigns, a sum to be expressed therein, equal to the unredeemed amount of the principal of the old six per cent. or deferred stocks, subscribed as aforesaid, bearing an interest of six per centum per annum, payable quarter yearly, from the first day of the quarter during which such subscription shall have been made, transferrable in the same manner as is provided by law for the transfers of the stock subscribed, and subject to redemption, at the pleasure of the United States, at any time after the thirty-first day of December, one thousand eight hundred and twenty-four: *Provided*, That no reimbursement shall be made except for the whole amount of the stock standing, at the time, to the credit of any proprietor, on the books of the treasury, or of the commissioners of loans, respectively, nor till after at least six months' previous public notice of such intended reimbursement.

*Provide*; no reimbursement, except for the whole amount of stock standing to the credit of any proprietor, &c. nor till after six months' previous public notice, &c. The funds already pledged, &c.

SECT. 3. *And be it further enacted*, That the same funds which heretofore have been, and now are, pledged by law for the pay-

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remain pledged, for the payment of interest and redemption of principal, &c.

The commissioners of the sinking fund to cause to be paid, &c. the sums wanted to discharge the annual interest accruing on the stock created by virtue of this act, and to apply the proper sums towards redeeming the principal, &c.

Such part of the eight millions of dollars vested by law in the commissioners, as may be necessary, &c. to continue appropriated, &c.

Nothing in this act to alter, abridge, &c. the rights of creditors who do not subscribe to the loan, &c.

ment of the interest and for the redemption or reimbursement of the stock which may be subscribed by virtue of the provisions of this act, shall remain pledged for the payment of the interest accruing on the stock created by reason of such subscription, and for the redemption or reimbursement of the principal of the same. It shall be the duty of the commissioners of the sinking fund to cause to be applied and paid, out of the said fund, yearly and every year, such sum and sums as may be annually wanted to discharge the annual interest accruing on the stock which may be created by virtue of this act. The said commissioners are hereby authorized to apply, from time to time, such sum and sums out of the said fund as they may think proper, towards redeeming by purchase, or by reimbursement, in conformity with the provisions of this act, the principal of the said stock. And such part of the annual sum of eight millions of dollars, vested by law in the said commissioners, as may be necessary and wanting for the above purposes, shall be and continue appropriated to the payment of interest and redemption of the public debt, until the whole of the stock which may be created under the provisions of this act shall have been redeemed or reimbursed.

SECT. 4. *And be it further enacted,* That nothing in this act contained shall be construed in anywise to alter, abridge, or impair, the rights of those creditors of the United States who shall not subscribe to the loan to be opened by virtue of this act.

[Approved, July 6, 1812.]

[\* See orig. act, of the 14th March, 1813; ante, chap. 364.]

The secretary of the treasury authorized to employ, &c. agents for selling, in conformity, &c. any part of the stock created by the act mentioned.

[† Ante, ch. 364.] 1-8th of 1 per cent. on the amount sold may be allowed to the agents, &c. Not exceeding \$,500 dolls. appropriated for paying the amount of commissions, &c.

CHAP. 459. [CXXXVI.] An act supplementary to the act, entitled "An act authorizing a loan for a sum not exceeding eleven millions of dollars."\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he is hereby, authorized to employ, with the approbation of the president of the United States, an agent or agents for the purpose of selling, in conformity with the provisions of the act, entitled "An act authorizing a loan for a sum not exceeding eleven millions of dollars,"† any part of the stock created by virtue of the said act. A commission, not exceeding one-eighth of one per cent. on the amount thus sold, may, by the secretary of the treasury, be allowed to such agent or agents; and a sum, not exceeding five thousand five hundred dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, is hereby appropriated for paying the amount of such commission or commissions as may be thus allowed. [Approved, July 6, 1812.]

[‡ See the note at the end of ch. 760, post.]

CHAP. 460. [CXXXVII.] An act making further provision for the army of the United States, and for other purposes.‡

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, author-

Two additional brigadier gene-

ized, by and with the advice and consent of the senate, to appoint two brigadier generals, in addition to those already authorized by law, who shall each be entitled to the same number of aids and brigade majors as are allowed to a brigadier general under the act of congress, passed the eleventh of January, one thousand eight hundred and twelve.\* And the said brigadier generals, aids, and brigade majors, shall be entitled to receive the same pay and emoluments as are by law allowed to officers of the same grade.

SECT. 2. *And be it further enacted*, That to any army of the United States, other than that in which the adjutant general, inspector general, quartermaster general, and paymaster of the army, shall serve, it shall be lawful for the president to appoint one deputy adjutant general, one deputy inspector general, one deputy quartermaster general, and one deputy paymaster general, who shall be taken from the line of the army, and who shall, each, in addition to his pay and other emoluments, be entitled to fifty dollars per month, which shall be in full compensation for his extra services. And that there shall be, to each of the foregoing deputies, such number of assistant deputies (not exceeding three to each department) as the public service may require, who shall, in like manner, be taken from the line, and who shall, each, be entitled to thirty dollars per month, in addition to his pay and other emoluments, which shall be in full compensation for his extra services: *And provided also*, That the president of the United States be, and he is hereby, authorized to appoint any of the officers named in this act during the recess of the senate, to be submitted to the senate, at their next meeting, for their advice and consent.

SECT. 3. *And be it further enacted*, That all letters and packages to and from the adjutant general and inspector general shall be free from postage.

SECT. 4. *And be it further enacted*, That the president is hereby authorized to confer brevet rank on such officers of the army as shall distinguish themselves by gallant actions, or meritorious conduct, or who shall have served ten years in any one grade: *Provided*, That nothing herein contained shall be so construed as to entitle officers so brevetted to any additional pay or emoluments, except when commanding separate posts, districts, or detachments, when they shall be entitled to, and receive, the same pay and emoluments to which officers of the same grades are now, or hereafter may be, allowed by law.

SECT. 5. *And be it further enacted*, That the officers who shall not take waiters from the line of the army, shall receive the pay, clothing, and subsistence, allowed to a private soldier, for as many waiters as they may actually keep, not exceeding the number allowed by existing regulations.

[Approved, July 6, 1812.]

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ral's may be appointed by the president and senate, &c.

[\* See ante, chap. 337.] The brigadier generals, aids, &c. to receive the same pay, &c.

The president may appoint a deputy adjutant general, &c. to any army other than that in which the adjutant general, &c. serves, &c. to be taken from the line of the army; pay, &c.

Not exceeding 3 assistant deputies to each department, as the service may require, to be taken from the line; pay, &c.

Provide; the president authorized to appoint any of the officers named, in the recess, to be submitted, &c.

Letters, &c. to and from the adjutant and inspector general, to be free, &c.

The president authorized to confer brevet rank on the officers who distinguish themselves, &c. or who have served ten years, &c. Provide; nothing herein to entitle officers brevetted to additional pay, &c. except when commanding separate posts, &c.

Officers who do not take waiters from the line, to receive the pay, &c. of a private soldier, for as many waiters, &c.



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CHAP. 461. [CXXXVIII.] An act supplementary to the act, entitled "An act authorizing the president of the United States to accept and organize certain volunteer military corps."

[Repealed, by act of 29th Jan. 1815, sec. 18, chap. 469 post. See orig. act, of 6th Feb. 1812; ante, chap. 344.]  
Where volunteers offer their services under the act mentioned, the president may appoint and commission the officers, &c.  
[Ante, ch. 344.]

Previous: prior to issuing the commissions the volunteers must have signed an enrolment, &c.

The president authorized to form the corps of volunteers into battalions, &c. and to appoint officers, &c.

The president may appoint the officers authorized by this act in the recess, &c. to be submitted, &c.

In case the volunteers, &c. deliver their stand of arms, &c. in good order, they are to be entitled to receive 10 dollars in lieu, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That in all cases where volunteers have offered, or hereafter shall offer, their services to the United States, under the act, entitled "An act authorizing the president of the United States to accept and organize certain volunteer military corps," it shall be lawful for the president of the United States to appoint and commission officers thereto, by and with the advice and consent of the senate, any thing in the said act to the contrary notwithstanding: *Provided,* That, prior to the issuing of such commissions, the volunteers aforesaid shall have signed an enrolment, binding themselves to service, conformably to the provisions of the act to which this is a supplement.

SECT. 2. *And be it further enacted,* That the president be, and he is hereby, authorized to form the corps of volunteers into battalions, squadrons, regiments, brigades, and divisions, and to appoint thereto, by and with the advice and consent of the senate, general, field, and staff, officers, conformably with the military establishment of the United States, and who shall be entitled to the pay and emoluments of officers of a similar grade and corps in the army of the United States.

SECT. 3. *And be it further enacted,* That it shall be lawful for the president of the United States, in the recess of the senate, to appoint all the officers authorized by this act; which appointments shall be submitted to the senate, at their next session, for their advice and consent.

SECT. 4. *And be it further enacted,* That, in case the volunteers, when their term of service shall have expired, shall deliver their stand of arms and accoutrements, in good order, to the proper officer, they shall be entitled to receive, in lieu thereof, ten dollars for every stand of arms so delivered.

[Approved, July 6, 1812.]

## RESOLUTIONS.

[No. 1.] Resolution granting permission to the judges of the supreme court of the United States to use the books in the library of congress.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That the president of the senate and the speaker of the house of representatives for the time being be, and they are hereby, authorized to grant the use of the books in the library of congress to the judges of the supreme court of the United States, at the times, and on the same terms, conditions, and restrictions, as members of congress are allowed to use said books.

[Approved, March 2, 1812.]

The president of the senate and the speaker of the house authorized to grant the use of the books in the library of congress to the judges of the supreme court, &c.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be directed to employ a person to digest, and reduce to such form as shall be deemed most conducive to the interests of the United States, a statement of the number, nature, extent, situation, and value, of the arts and manufactures of the United States, together with such other details, connected with these subjects, as can be made from the abstracts and other documents and returns reported to him, by the marshals and other persons employed to collect information, in conformity to the second section of the act of the first of May, one thousand eight hundred and ten,\* and, such other information as has been, or may be, obtained; which the subject will admit of; and that he report the same to congress.

The secretary of the treasury directed to employ a person to digest and reduce to such form, &c. a statement of the number, nature, &c. of the arts and manufactures of the United States, together with such other details, &c. as can be made from the abstracts, &c. reported by the marshals, &c.

[\* Ante, ch. 263.]

[*Approved, March 19, 1812.*]

[No. 3.] Resolution, requesting the state of Georgia to assent to the formation of two states of the Mississippi territory.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That the legislature of the state of Georgia be, and they are hereby, requested to give their assent, by law, to the formation of two states of the Mississippi territory: *Provided,* In the opinion of congress a division of said territory, for that purpose, should hereafter be expedient. [*Approved, June 17, 1812.*]

The legislature of Georgia requested to give their assent, by law, to the formation of two states of the Mississippi territory, provided congress deem it expedient.

[No. 4.] Resolution, requesting the president of the United States to recommend a day of public humiliation and prayer.

It being a duty, peculiarly incumbent in a time of public calamity and war, humbly and devoutly to acknowledge our dependence on Almighty God, and to implore his aid and protection:

Motive of the request.

Therefore,

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That a joint committee of both houses wait on the president of the United States, and request that he recommend a day of public humiliation and prayer, to be observed by the people of the United States, with religious solemnity, and the offering of fervent supplications to Almighty God for the safety and welfare of these states, his blessing on their arms, and the speedy restoration of peace.

A joint committee of both houses to wait on the president, and request him to recommend a day of public humiliation and prayer, to be observed by the people with religious solemnity, &c.

# ACTS OF THE TWELFTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE SECOND SESSION, WHICH WAS BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE 2D OF NOVEMBER, 1812, AND ENDED ON THE 3D OF MARCH, 1813.

James Madison, President. Wm. H. Crawford, President, pro tempore, of the Senate. H. Clay, Speaker of the House of Representatives.

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[\*Obsolete.]

CHAP. 466. [CXLIII.] An act to authorize the transportation of certain documents free of postage.\*

The members of congress, secretary of the senate, and clerk of the house, authorized to transmit, free of postage, the message of the president of the United States, of the fourth of November, 1812, and the documents accompanying the same, printed by order of the senate, and by order of the house of representatives, to any post office within the United States and territories thereof, to which they may direct, any law to the contrary notwithstanding.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the members of congress, the secretary of the senate, and clerk of the house of representatives, be, and they are hereby, respectively, authorized to transmit, free of postage, the message of the president of the United States, of the fourth of November, one thousand eight hundred and twelve, and the documents accompanying the same, printed by order of the senate, and by order of the house of representatives, to any post office within the United States and territories thereof, to which they may direct, any law to the contrary notwithstanding.

[Approved, November 12, 1812.]

CHAP. 467. [CXLIV.] An act further to prolong the continuance of the mint at Philadelphia.

The act concerning the mint revived, and continued until the 4th March, 1813.  
[† Ch. 286, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the act, entitled "An act concerning the mint,"† approved March the third, one thousand eight hundred and one, is hereby revived and continued in force and operation, for the further term of five years, after the fourth day of March, one thousand eight hundred and thirteen. [Approved, December 2, 1812.]

CHAP. 468. [CXLV.] An act making an appropriation to defray expenses incurred, or to be incurred, under an act, entitled "An act to authorize a detachment from the militia of the United States;" and the act, entitled "An act for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes," passed the twenty-eighth day of February, one thousand seven hundred and ninety-five.†

[†Obsolete.]

1,000,000 dollars appropriated towards defraying any expense incurred under the

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the sum of one million of dollars be, and the same is hereby

appropriated towards defraying any expense incurred, or to be incurred, under an act, entitled "An act to authorize a detachment from the militia of the United States,"\* passed the tenth day of April, one thousand eight hundred and twelve; and also, under an act, entitled "An act for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes,"† passed the twenty-eighth day of February, one thousand seven hundred and ninety-five, to be paid out of any moneys in the treasury, not otherwise appropriated.

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[† To authorize a detachment from the militia, &c. (Ante, ch. 376.)]

[† Ch. 377, vol. 8.]

[Approved, December 12, 1812.]

CHAP. 469. [CXLVI.] An act increasing the pay of noncommissioned officers, musicians, privates, and others, of the army, and for other purposes.‡

[‡ See the note at the end of chap. 766, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, from and after the thirty-first day of December, eighteen hundred and twelve, the monthly pay of the noncommissioned officers, musicians, privates, drivers, bombardiers, matrosses, sappers, miners, artificers, saddlers, farriers, and blacksmiths, who have enlisted, or shall hereafter enlist, in the service of the United States, shall, during the continuance of the war between the United States of America, and their territories, and the United Kingdom of Great Britain and Ireland, and the dependencies thereof, be as follows, to wit: To each sergeant major and quartermaster sergeant, twelve dollars; to each sergeant and principal musician, eleven dollars; to each corporal, ten dollars; to each musician, nine dollars; to each private, driver, bombardier, matross, sapper, and miner, eight dollars; to each artificer, saddler, farrier, and blacksmith, not attached to the quartermaster general's and ordnance department, thirteen dollars.

After the 31st Dec. 1812, the monthly pay of the noncommissioned officers, privates, &c. be as specified.

Specification of monthly pay.

SECT. 2. *And be it further enacted*, That, during the continuance of the war with Great Britain, no noncommissioned officer, musician, private, driver, bombardier, matross, sapper, miner, artificer, saddler, farrier, or blacksmith, enlisted in the service of the United States, during his continuance in service, shall be arrested, or subject to arrest, or to be taken in execution, for any debt contracted before or after enlistment.

During the continuance of the war with Great Britain, no noncommissioned officer, private, &c. recruited after the promulgation of this act, may enlist to serve during the war or for five years, at option, &c.

SECT. 3. *And be it further enacted*, That every noncommissioned officer, musician, and private, who shall, after the promulgation of this act, be recruited in the regular army of the United States, may, at his option, to be made at the time of enlistment, engage to serve during the present war with Great Britain, instead of the term of five years; and shall, in case he makes such option, be entitled to the same bounty in money and land, and to all other allowances, and be subject to the same rules and regulations, as if he had enlisted for the term of five years.

Noncommissioned officers, privates, &c. recruited after the promulgation of this act, may enlist to serve during the war or for five years, at option, &c.

[Approved, December 12, 1812.]

**1812-13. CHAP. 470. [CXLVII.]** An act concerning the district and territorial judges of the United States.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, hereafter, it shall be incumbent upon the district and territorial judges of the United States to reside within the districts and territories, respectively, for which they are appointed; and that it shall not be lawful for any judge appointed under the authority of the United States, to exercise the profession or employment of counsel or attorney, or to be engaged in the practice of the law. And any person offending against the injunction or prohibition of this act, shall be deemed guilty of a high misdemeanor.

*[Approved, December 18, 1812.]*

District and territorial judges to reside within their districts, &c.

Judges not to be engaged in the practice of the law, &c.

Persons offending against this act deemed guilty of a high misdemeanor.

[? See supplementary act, of 3d March, 1813; chap. 519, post.]

The president authorized, as soon, &c. to cause to be built &c. four ships of not less than 74 guns, and six to rate 44 guns, each.

Complement of officers on board the seventy-four.

Warrant officers on board the seventy-four; to be appointed by the president.

Petty officers; to be appointed by the captains of the ships.

A schoolmaster, &c.

Complement of men on board the seventy-four gun ships, &c.

Pay of the schoolmaster.

**CHAP. 471. [CXLVIII.]** An act to increase the navy of the United States.\*

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States shall be, and he hereby is, authorized, as soon as suitable materials can be procured therefor, to cause to be built, equipped, and employed, four ships to rate not less than seventy-four guns, and six ships to rate forty-four guns each.

**SECT. 2.** *And be it further enacted,* That there shall be employed on board each of the said ships of seventy-four guns each, one captain, six lieutenants, one captain, one first lieutenant, and one second lieutenant, of marines, one surgeon, one chaplain, one purser, and three surgeon's mates.

**SECT. 3.** *And be it further enacted,* That there shall be employed in each of the said ships, carrying seventy-four guns, the following warrant officers, who shall be appointed by the president of the United States: one master, one second master, three master's mates, one boatswain, one gunner, one carpenter, one sailmaker, and twenty midshipmen; and the following petty officers, who shall be appointed by the captains of the ships, respectively, in which they are to be employed, viz. one armorer, six boatswain's mates, three gunner's mates, two carpenter's mates, one sailmaker's mate, one cooper, one steward, one master's arms, one cook, one coxswain, one boatswain's yeoman, one gunner's yeoman, one carpenter's yeoman, ten quarter gunners, eight quartermasters, and one clerk; and one schoolmaster, also to be appointed by the captain.

**SECT. 4.** *And be it further enacted,* That the crews of each of the said ships of seventy-four guns, shall consist of two hundred able seamen, three hundred ordinary seamen and boys, three sergeants, three corporals, one drummer, one fifer, and six marines.

**SECT. 5.** *And be it further enacted,* That the pay of the schoolmaster shall be twenty-five dollars per month and two rations per day.

**SECT. 6.** *And be it further enacted,* That the sum of two millions five hundred thousand dollars be, and the same is hereby, appropriated, out of any moneys in the treasury, not otherwise appropriated, for the building and equipping of the aforesaid ships of war. [Approved, January 2, 1813.]

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\$500,000 doll.  
appropriated for  
building and  
equipping the  
ships of war.

**CHAP. 472. [CXLIX.]** An act directing the secretary of the treasury to remit fines, forfeitures, and penalties, in certain cases.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That in all cases where goods, wares, and merchandise, owned by a citizen or citizens of the United States, have been imported into the United States from the United Kingdom of Great Britain and Ireland, which goods, wares, and merchandise, were shipped on board vessels which departed therefrom between the twenty-third day of June last, and the fifteenth day of September last, and the person or persons interested in such goods, wares, or merchandise, or concerned in the importation thereof, have thereby incurred any fine, penalty, and forfeiture, under an act, entitled "An act to interdict the commercial intercourse between the United States, and Great Britain and France, and their dependencies, and for other purposes,"\* and an act, entitled "An act concerning the commercial intercourse between the United States and Great Britain, and France, and their dependencies, and for other purposes,"† and the act supplementary to the act last mentioned,‡ on such person or persons petitioning for relief, to any judge or court proper to hear the same, in pursuance of the provisions of the act, entitled "An act to provide for mitigating or remitting the fines, forfeitures, and penalties, in certain cases therein mentioned;"§ and on the facts being shown, on inquiry had by said judge or court, stated and transmitted as by said act is required, to the secretary of the treasury; in all such cases, wherein it shall be proved to his satisfaction that said goods, wares, and merchandise, at the time of their shipment, were bona fide owned by a citizen or citizens of the United States, and shipped, and did depart from some port or place in the United Kingdom of Great Britain and Ireland, owned as aforesaid, between the twenty-third day of June last, and the fifteenth day of September last, the secretary of the treasury is hereby directed to remit all fines, penalties, and forfeitures, that may have been incurred under the said acts, in consequence of such shipment, importation, or importations, upon the costs and charges that have arisen, or may arise, being paid, and on payment of the duties which would have been payable by law on such goods, wares, and merchandise, if legally imported; and also to direct the prosecution or prosecutions, if any shall have been instituted for the recovery thereof, to cease and be discontinued: *Provided, nevertheless,* That no case in which the purchase of such goods, wares, and merchandise, was made, after war was known to exist between the United States and Great

In cases where goods, &c. have been imported from Great Britain and Ireland, which were shipped between the 23d of June, and the 15th of September, 1812, and the persons interested have incurred any fine, &c. under the acts referred to, on their petitioning for relief &c. the secretary of the treasury is directed to remit such fines, &c. [\*Ante, ch. 195.]

[†Ante, ch. 364.]  
[‡Ante, ch. 306.]

[§Ch. 361, vol. 2.]

It must be proved that the goods were owned by a citizen, &c.

Costs and charges, and duties, to be paid, &c.

Prosecutions to cease.

Provided; cases in which goods were purchased after war was known to exist,

1813.

not entitled to  
the benefits of  
this act.

Britain, at the port or place where such purchase was made, shall be entitled to the benefits of this act.

[Approved, January 2, 1813.]

CHAP. 473. [CL.] An act approving the report of the commissioners appointed by the secretary of war to ascertain and settle the exterior line of the public land at West Point, in the state of New York.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the report of the commissioners appointed by the secretary of war to settle the exterior line of the public land at West Point, in the state of New York, with the adjoining proprietor, conformably to an act to authorize the secretary of war to ascertain and settle, by the appointment of commissioners, the exterior line of the public land at West Point with the adjoining proprietor,\* be, and the same is hereby, approved.

Thereportof the  
commissioners  
appointed by the  
secretary of war  
to settle the ex-  
terior line of the  
public land at  
West Point, &c.  
approved.

(\* Ante, ch. 224.)

[Approved, January 5, 1813.]

CHAP. 474. [CLI.] An act authorizing the president of the United States to establish post routes in certain cases.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the president of the United States, during the existence of the war in which the United States are engaged, or of any war in which they may be engaged, shall be, and is hereby, authorized to direct the postmaster general to send a mail between the headquarters of any army of the United States and such post office as he may think proper; and the route or road on which the same shall be conveyed, shall, to all intents and purposes, be an established post road, so long as the mail shall be sent on the same, conformably to the authority hereby given.

The president  
authorized to di-  
rect the postmas-  
ter general to  
send a mail be-  
tween the head-  
quarters of any  
army and such  
post office as he  
may think prop-  
er; and the  
route to be an  
established post  
road, so long, &c.

[Approved, January 14, 1813.]

[† See act of 4th  
March, 1814; sec.  
2, ch. 608, post.]

CHAP. 475. [CLII.] An act providing navy pensions in certain cases.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* if any officer of the navy or marines shall be killed or die, by reason of a wound received in the line of his duty, leaving a widow, or, if no widow, a child or children, under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, which allowance shall continue for and during the term of five years: but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder shall go to the child or children of the said deceased officer: *Provided, That* such half pay shall cease on the death of such

Widows or chil-  
dren of officers  
of the navy or  
marines killed,  
&c. entitled to  
half the monthly  
pay of the de-  
ceased, for five  
years.

In case of the  
death or inter-  
marriage of the  
widow, before,  
&c. the half pay  
to go to the chil-  
dren, &c.  
Provido; the half  
pay to cease on

child or children; and the money required for this purpose shall be paid out of the navy pension fund, under the direction of the commissioners of that fund. [Approved, January 20, 1813.]

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the death of the children; and the money to be paid out of the navy pension fund.

CHAP. 476. [CLIII.] An act making certain partial appropriations for the year one thousand eight hundred and thirteen.\*

[\*Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the sum of one million of dollars be, and the same is hereby, appropriated towards defraying the expenses of the military establishment of the United States, during the year one thousand eight hundred and thirteen; and that the sum of one million of dollars be, and the same is hereby, appropriated towards defraying the expenses of the navy during the year one thousand eight hundred and thirteen.

1,000,000 of dol. appropriated towards defraying the expenses of the military establishment during the year 1813; and 1,000,000 of dol. for defraying the expenses of the navy for 1813.

SECT. 2. *And be it further enacted,* That the following sums be appropriated for the purposes herein recited; that is to say: Towards defraying the compensation granted by law to the members of the senate and house of representatives, their officers, and attendants, during the year one thousand eight hundred and thirteen, fifty thousand dollars.

Sums appropriated: towards defraying the compensation of members of congress, &c.

Towards defraying the contingent expenses of the house of representatives, during the year one thousand eight hundred and thirteen, ten thousand dollars.

Towards defraying the contingent expenses of the house of representatives.

SECT. 3. *And be it further enacted,* That the several appropriations hereinbefore made, shall be paid and discharged out of any moneys in the treasury, not otherwise appropriated.

The appropriations to be paid out of unappropriated moneys in the treasury.

[Approved, January 20, 1813.]

CHAP. 477. [CLIV.] An act supplementary to the act, entitled "An act for the more perfect organization of the army of the United States."†

[†See the note at the end of chap. 760, post: See, also, the orig. act, of 26th June, 1812; ante, chap. 431.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized, by and with the advice and consent of the senate, to appoint one additional major to the first regiment of light dragoons, the regiment of light artillery, each regiment of infantry, and the rifle regiment, in the army of the United States, who shall receive the like pay, rations, forage, and other emoluments, as officers of the same grade and corps of the present military establishment.

The president authorized, &c. to appoint one additional major to the first regt. of light dragoons, &c.

SECT. 2. *And be it further enacted,* That there be appointed, in manner aforesaid, one third lieutenant to each troop or company in the army of the United States, who, if of cavalry or light dragoons shall receive the monthly pay of thirty dollars, and of other corps, twenty-three dollars, and be allowed the same forage, rations, and other emoluments, as second lieutenants of the same corps to which they belong.

A third lieutenant to be appointed to each company in the army, &c.

SECT. 3. *And be it further enacted,* That there be allowed to each troop or company in the army of the United States, one

An additional sergeant allowed to each troop or



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company in the  
army, &c.

24 dolls. on ac-  
count of pay, &c.  
to be advanced  
to each able bod-  
ied man enlist-  
ed after the 1st  
Feb. 1813, &c.

Bounty of 160  
acres of land, &c.

Commissioned  
officers employ-  
ed in recruiting,  
entitled to re-  
ceive 4 dolls. for  
each man enlist-  
ed, &c.

Proviso; the re-  
gulation respect-  
ing age, not to  
extend to musi-  
cians or soldiers  
who re-enlist.  
Proviso; persons  
under the age of  
21, not to be en-  
listed without  
the written  
consent of  
parents, &c.  
Officers enlisting  
persons contrary  
to this act, to for-  
feit and pay the  
amount of bounty  
and clothing,  
&c.

Persons per-  
forming a tour  
of militia duty  
may be enlisted,  
and be thereby  
exonerated from  
serving the re-  
mainder of the  
tour, &c.

additional sergeant, who shall receive the like pay, clothing, ra-  
tions, and other emoluments, as sergeants of the present military  
establishment.

SECT. 4. *And be it further enacted*, That, in order to complete  
the present military establishment to the full number authorized  
by law, with the greatest possible despatch, there shall be paid  
to each effective able bodied man, who shall be duly enlisted  
into the service of the United States, after the first day of Fe-  
bruary next, to serve for the term of five years, or during the  
war, an advance, of twenty-four dollars, on account of his pay,  
in addition to the existing bounty, one-half of such advance to  
be paid at the enlistment of the recruit, and the other half when  
he shall be mustered and have joined some military corps of the  
United States, for service; and a bounty of one hundred and  
sixty acres of land, as heretofore established by law.

SECT. 5. *And be it further enacted*, That the commissioned  
officers who shall be employed in the recruiting service, shall be  
entitled to receive for every effective able bodied man, who shall  
be duly enlisted after the first day of February next, by them,  
for the term of five years or during the war, and mustered, and  
between the ages of eighteen and forty-five years, the sum of  
four dollars: *Provided, nevertheless*, That this regulation, so far  
as respects the age of the recruit, shall not extend to musicians,  
or to those soldiers who may re-enlist into the service: *And pro-  
vided also*, That no person under the age of twenty-one years  
shall be enlisted by any officer, or held in the service of the Uni-  
ted States, without the consent, in writing, of his parent, guar-  
dian, or master, first had and obtained, if any he have; and if  
any officer shall enlist any person contrary to the true intent and  
meaning of this act, for every such offence he shall forfeit and  
pay the amount of the bounty and clothing which the person so  
recruited may have received from the public, to be deducted out  
of the pay and emoluments of such officer.

SECT. 6. *And be it further enacted*, That it shall be lawful for  
any person, during the time he may be performing a tour of mi-  
litia duty, to enlist in the regular army of the United States, and  
the recruiting officers are hereby authorized to enlist any such  
person, in the same manner, and under the same regulations, as  
if he were not performing such militia duty; and every person  
who shall enlist, while performing a tour of militia duty as aforesaid, shall be thereby exonerated from serving the remainder  
of said tour; and the state to which he may belong shall not be  
required to furnish any other person to serve in his stead.

[Approved, January 20, 1813.]

CHAP. 478. [CLV.] An act in addition to the act concerning letters of  
marque, prizes, and prize goods.\*

\*See orig. act,  
of 26th June,  
1813; ante, chap.  
430.]

Vessels and pro-  
perty captured

SECT. 1. *Be it enacted by the senate and house of representa-  
tives of the United States of America in congress assembled*, That  
all prizes of vessels and property, captured by private armed

ships, commissioned under the authority of the United States, 1813.

which may be condemned in any district or circuit court of the United States, shall be sold at public auction, by the marshal of the district in which the same shall be condemned, within sixty days after the condemnation thereof, sufficient notice of the time and place, and conditions of sale, being first given, on such day or days, on such terms of credit, and in such lots or proportions, as may be designated by the owner or owners, or agent of the owner or owners, of the privateer which may have captured the same: *Provided*, That the term of such credit shall not exceed ninety days: And the said marshal is hereby directed to take and receive, from the purchaser or purchasers of such prize vessel and property, the money therefor, or his, her, or their, promissory notes, with endorsers, to be approved by the owner or owners of the privateer, to the amount of the purchase, payable according to the terms thereof.

SECT. 2. *And be it further enacted*, That, upon all duties, costs, and charges, being paid according to law, the said marshal shall, on demand, deliver and pay over to the owner or owners of the privateer, or to the agent of such owner or owners of the privateer, which may have captured such prize vessel and property, a just and equal proportion of the funds received on account of the sale thereof, and of the promissory notes directed to be taken as aforesaid, to which the said owner or owners may be entitled, according to the articles of agreement between the said owner or owners, and the officers and crew of the said privateer; and a just and equal proportion of the proceeds of the sale, as aforesaid, shall, on demand, be also paid over, by the said marshal, to the officers and crew of the said privateer, or to their agent or agents. And if there be no written agreement, it shall be the duty of the marshal to pay over, in manner as aforesaid, one moiety of the proceeds of the sale of such prize vessel and property, to the owner or owners, agent or agents of the owner or owners, of the privateer, which may have captured the same; and the other moiety of the said proceeds to the agent or agents of the officers and crew of the said privateer, to be distributed according to law, or to any agreement by them made: *Provided*, The said officers and crew, or their agent or agents, shall have first refunded, to the owner or owners, or to the agent of the owner or owners, of the privateer aforesaid, the full amount of advances, which shall have been made by the owner or owners of the privateer, to the officers and crew thereof.

SECT. 3. *And be it further enacted*, That, for the selling prize property, and receiving and paying over the proceeds, as aforesaid, the marshal shall be entitled to a commission of one per cent. and no more, first deducting all duties, costs, and charges, which may have accrued on said property: *Provided*, That on no case of condemnation and sale of any one prize vessel and cargo, shall the commissions of the marshal exceed two hundred and fifty dollars.

SECT. 4. *And be it further enacted*, That it shall be the duty of the marshal, within fifteen days after any sale of prize property, to

by private armed ships, condemned, &c. to be sold at auction by the marshal, &c. within sixty days, sufficient notice, &c. being first given, &c.

*Provido*; the term of credit not to exceed 90 days; and the marshal to receive the money, &c.

Duties and costs being paid, the marshal is to pay over to the owners and the officers and crew, &c. the proportions of prize money to which they may be, respectively, entitled, &c.

If there is no written agreement, the marshal is to pay over one moiety of the proceeds of the sale of prizes to the owners, &c. and one moiety to the agents of the officers and crew, &c.

*Provido*; the officers and crew, &c. must have first refunded any advances, &c.

The marshal entitled to a commission of one per cent. for selling prize property, first deducting duties, costs, &c. *Provido*; the marshal's commission not to exceed 250 dollars on sale of any one prize vessel and cargo.

The marshal, within 15 days after any sale of

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prize property, to file a just and true account in the office of the clerk of the district court, &c.

If the marshal refuses to file an account, &c. he forfeits \$500 dolls. &c.

Owners of private armed vessels, &c. may, before libel, remove any captured vessel from the port into which she was first brought to any other port, subject, &c.

Provided, if the captured property has not been attached, &c.

file, in the office of the clerk of the district court of the district where in such sale may be made, a just and true account of the sale of such prize property, and of all duties and charges thereon, together with a statement, thereto annexed, of the promissory notes taken on account thereof, which account shall be verified by the oath of the said marshal; and if the said marshal shall wilfully neglect, or refuse, to file such account, he shall forfeit and pay the sum of five hundred dollars, for each omission or refusal as aforesaid, to be recovered in an action of debt, by any person interested in such sale, and suing for the said penalty, on account of the party or parties interested in the prize vessel or property sold as aforesaid, in any court having cognizance thereof.

SECT. 5. *And be it further enacted*, That the owner or owners of any private armed vessel or vessels, or their agent or agents, may, at any time before a libel shall be filed against any captured vessel or her cargo, remove the same from any port into which such prize vessel or property may be first brought, to any other port in the United States, to be designated at the time of the removal as aforesaid, subject to the same restrictions, and complying with the same regulations, with respect to the payment of duties, which are provided by law in relation to other vessels arriving in port with cargoes subject to the payment of duties: *Provided*, That before such removal the said captured property shall not have been attached at the suit of any adverse claimant, or a claim against the same have been interposed in behalf of the United States. [Approved, January 27, 1813.]

[\*Superseded, by act of 14th April, 1813; ch. 344, post.]

CHAP. 479. [CLVI.] An act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope.\*

In cases where goods, &c. bona fide the property of citizens, have been imported from British ports beyond the Cape of Good Hope, and bonds have been given for landing in the United States, &c. the secretary of the treasury directed to remit any fines that may have been incurred, on petition, according to the provisions of the act mentioned, and to deliver up possession, &c. on payment of costs, charges, duties, &c. [7 Ch. 361, vol. 2.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That in all cases where goods, wares, and merchandise, bona fide the property of a citizen or citizens of the United States, have been imported into the United States from British ports beyond the Cape of Good Hope, for the cargoes of which vessels bonds have been required, at the port or place of shipment from, and have been given by the owners, agents, consignees, or supercargoes, of such vessels, that the cargoes thereof shall be delivered or landed at some port or place in the United States; and the person or persons interested in such goods, wares, or merchandise, or concerned in the importation thereof, have incurred thereby any fine, penalty, and forfeiture, or have delivered the same into the possession or custody of the United States, on such person petitioning for relief to any judge or court proper to hear the same, in pursuance of the provisions of the act, entitled "An act to provide for mitigating and remitting the fines, forfeitures, and penalties, in certain cases therein mentioned;"† and on the facts being shown, on inquiry had by said judge or court, stated and transmitted, as by said act is required, to the secretary of

the treasury; in all such cases wherein it shall be proved, to his satisfaction, that said goods, wares, and merchandise, at the time of their shipment, were bona fide owned by a citizen or citizens of the United States, and for the landing or delivery of which, at some port or place in the United States, bonds were required and given as aforesaid, the secretary of the treasury is hereby directed to remit all fines, penalties, and forfeitures, which may have been incurred in consequence of such shipment, importation, or importations, to deliver up possession of the said vessels, goods, wares, and merchandise, to the owner or owners thereof, upon the costs and charges that have arisen, or may arise, being paid, and the duties payable on such goods, wares, and merchandise, or which would have been payable if they had been legally imported, being paid, or secured to be paid, according to law, as if the same had been imported and entered at the time of the release thereof; and also to direct the prosecution or prosecutions, if any shall have been instituted for the recovery of such fines, penalties, and forfeitures, to cease and be discontinued: *Provided*, That nothing in this act contained shall extend, or be construed to extend, to a remission of, or exemption from, any fine, penalty, or forfeiture, which has been, or may be, incurred for a breach of any law or laws of the United States, other than such as prohibit the admission into the United States of goods, wares, and merchandise, imported as aforesaid.

*Provided*; nothing in this act to extend to a remission of any fine, &c. for a breach of any law, other than such as prohibit the admission of goods, &c. imported as specified.

[Approved, January 27, 1813.]

CHAP. 480. [CLVII] An act in addition to the act, entitled "An act to raise an additional military force," and for other purposes.\*

\* See orig. act, of 11 h Jan. 1812; act, chap. 337. See, also, the note at the end of ch. 766, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in addition to the present military establishment of the United States, there be raised such number of regiments of infantry, not exceeding twenty, as, in the opinion of the president, may be necessary for the public service, to be enlisted for the term of one year, unless sooner discharged.

Not exceeding 20 regiments of infantry to be enlisted for one year, &c.

SECT. 2. *And be it further enacted*, That each of the said regiments shall consist of one colonel, one lieutenant colonel, two majors, one adjutant, one paymaster, one quartermaster, one surgeon, two surgeon's mates, one sergeant major, one quartermaster sergeant, two principal musicians, and ten companies.

Organisation of each regiment.

SECT. 3. *And be it further enacted*, That each company shall consist of one captain, one first lieutenant, one second lieutenant, one third lieutenant, one ensign, five sergeants, six corporals, two musicians, and ninety privates.

Organisation of each company.

SECT. 4. *And be it further enacted*, That it shall be lawful for the president of the United States, in the recess of the senate, to appoint such of the officers authorized by this act, as may not be appointed during the present session; which appointments shall be submitted to the senate at their next session, for their advice and consent.

The president may appoint officers during the recess, to be submitted, &c.

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Officers, privates, &c. to receive the same pay, &c. as the officers, &c. of the present military establishment; except, &c.  
The officers, privates, &c. to be governed by the rules and articles of war.

Commissioned officers to receive \$3. for every person enlisted, &c.

Proviso; the regulation respecting the age of the recruit, not to extend to musicians, &c.  
No person under twenty-one to be enlisted, without consent of parents, &c.  
Any officer enlisting persons contrary to this act, forfeits the amount of bounty and clothing, &c.

Sixteen dollars bounty to each man; the payment of eight to be deferred, &c.

Arrears never to exceed two months, unless, &c.

Disabled officers, musicians, and privates, to be placed on the list of invalids, &c.  
Proviso; the compensation for wounds, &c. to a commissioned officer, not to exceed half the monthly pay, &c.  
No officer to receive more than the half pay of a lieutenant, col. and the rate to privates not to exceed \$3. per month, &c.  
Proviso; inferior disabilities to be

**SECT. 5.** *And be it further enacted,* That all the officers, noncommissioned officers, musicians, and privates, authorized by this act, shall receive the like pay, forage, rations, clothing, and other emoluments (the land and bounty excepted,) as the officers of the same grade and corps, noncommissioned officers, musicians, and privates, of the present military establishment.

**SECT. 6.** *And be it further enacted,* That the officers, noncommissioned officers, musicians, and privates, of the regiments hereby authorized to be raised, shall be governed by the rules and articles of war, which have been established by the United States in congress assembled, or by such rules and articles as may be hereafter by law established.

**SECT. 7.** *And be it further enacted,* That the commissioned officers, who shall be employed in recruiting the force authorized by this act, shall be entitled to receive, for every person enlisted by them into this service, for the term specified, and approved by the commanding officer of the regiment, and between the ages of eighteen and forty-five years, the sum of two dollars: *Provided, nevertheless,* That this regulation, so far as respects the age of the recruit, shall not extend to musicians, or to those soldiers who may re-enlist into the service: *And provided also,* That no person under the age of twenty-one years shall be enlisted by any officer, or held in the service of the United States, without the consent, in writing, of his parent, guardian, or master, first had and obtained, if any he have; and if any officer shall enlist any person contrary to the true intent and meaning of this act, for every such offence he shall forfeit and pay the amount of the bounty and clothing, which the persons so recruited may have received from the public, to be deducted out of the pay and emoluments of such officer.

**SECT. 8.** *And be it further enacted,* That there shall be allowed and paid to each man recruited as aforesaid, a bounty of sixteen dollars; but the payment of eight dollars of the said bounty shall be deferred until he shall be mustered, and have joined some military corps of the United States.

**SECT. 9.** *And be it further enacted,* That the said regiments shall be paid in such manner, that the arrears shall at no time exceed two months, unless the circumstances of the case shall render it unavoidable.

**SECT. 10.** *And be it further enacted,* That if any officer, noncommissioned officer, musician, or private, shall be disabled, by wounds or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pension and under such regulations as are or may be directed by law: *Provided always,* That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed, for the highest rate of disability, half the monthly pay of such officer, at the time of his being disabled or wounded; and that no officer shall receive more than the half pay of a lieutenant colonel; and that the rate of compensation to noncommissioned officers, musicians, and privates, shall not exceed five dollars per month; *And provided also,* That all

inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

SECT. 11. *And be it further enacted*, That if any commissioned officer shall, while in the service of the United States, die, by reason of any wound received in actual service of the United States, and leave a widow, or, if no widow, a child or children, under sixteen years of age, such widow, or, if no widow, such child or children, shall be entitled to and receive half the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years: but, in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the time shall go to the child or children of such deceased officer: *Provided always*, That such half pay shall cease on the decease of such child or children.

SECT. 12. *And be it further enacted*, That if any noncommissioned officer, musician, or private, shall desert the service of the United States, he shall, in addition to the penalties mentioned in the rules and articles of war, be liable to serve for and during such a period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment; and such soldier shall and may be tried by a court martial, and punished, although the term of his enlistment may have elapsed previous to his being apprehended or tried.

SECT. 13. *And be it further enacted*, That every officer, noncommissioned officer, musician, and private, shall take and subscribe the following oath or affirmation, to wit: "*I, A B, do solemnly swear or affirm, (as the case may be), that I will bear true faith and allegiance to the United States of America; and that I will serve them honestly and faithfully against their enemies or opposers whomsoever; and that I will observe and obey the orders of the president of the United States, and the orders of the officers appointed over me, according to the rules and articles of war.*"

SECT. 14. *And be it further enacted*, That where any commissioned officer shall be obliged to incur any extra expense, in travelling and sitting on general courts martial, he shall be allowed a reasonable compensation for such extra expense actually incurred, not exceeding one dollar and twenty-five cents per day to officers who are not entitled to forage, and not exceeding one dollar per day to such as shall be entitled to forage.

SECT. 15. *And be it further enacted*, That whenever any officer or soldier shall be discharged from the service, except by way of punishment for an offence, he shall be allowed his pay and rations, or an equivalent in money, for such term of time as shall be sufficient for him to travel from the place of discharge to the place of his residence, computing at the rate of twenty miles to a day.

SECT. 16. *And be it further enacted*, That there shall be appointed to each brigade one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

SECT. 17. *And be it further enacted*, That no field or staff offi-

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allowed in proportion.  
Widows or children of commissioned officers dying from wounds received in actual service, entitled to half the monthly pay for five years.

In case the widow dies or marries, before, &c. the half pay to go to the children, &c.

Noncommissioned officers, musicians, or privates, deserting the service, to make good the time of enlistment, &c.

Officers, privates, &c. to take an oath, &c.

Form of the oath.

Extra expenses incurred by commissioned officers in travelling and sitting on general courts martial, to be allowed, &c.

Officers and soldiers discharged from service to be allowed pay and rations to travel to their places of residence, &c.

A chaplain to be appointed to each brigade, &c.

No field or staff officer, &c. enti-

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ded to receive pay or emolument till called into actual service, &c.

Acts concerning volunteer military corps, repealed.

[\* Ante, ch. 344.]

[† Ante, ch. 461.]

Proviso; nothing herein to deprive volunteer officers and men, &c. of any rights, &c.

cer, who may be appointed by virtue of this act, shall be entitled to receive any pay or emoluments until he shall be called into actual service, nor for any longer time than he shall continue therein.

SECT. 18. *And be it further enacted*, That the act, entitled "An act authorizing the president of the United States to accept and organize certain volunteer military corps,"\* and the act, entitled "An act supplementary to the act, entitled "An act authorizing the president of the United States to accept and organize certain volunteer military corps,"† be, and the same are hereby, repealed, from and after the first day of February next: *Provided*, That nothing herein contained shall be so construed as to deprive the officers and men who may have entered the service as volunteers, under the said acts, of any rights, immunities, or privileges, therein secured, or the United States of the services of such volunteers, agreeably to the provisions of said acts.

[Approved, January 29, 1813.]

[‡ Private.]

CHAP. 481. [CLVIII.] An act for the relief of John Binnion.‡

John Binnion permitted to withdraw his entries, made on the 18th Sept. 1810, in the land office of Madison county, &c. and the moneys paid to be placed to his credit, &c.

Proviso; if it appears to the register and receiver that the entries were made in mistake, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That John Binnion be permitted to withdraw his entries, made on the eighteenth day of September, eighteen hundred and ten, in the land office of Madison county, Mississippi territory, for the northwest, northeast, and southeast, quarters of section No. thirty-four, township No. three, of range No. two, east, and that the moneys paid by him on the said entries shall be placed to his credit on any purchase he shall or may have made of public land in the same district: *Provided*, It shall appear to the satisfaction of the register and receiver of public moneys of the said land office, that the entries for the said quarter sections were made in mistake for other quarter sections intended to have been purchased by said Binnion. [Approved, January 27, 1813.]

[§ Private and obsolete.]

CHAP. 482. [CLIX.] An act for the relief of the Bible Society of Philadelphia.§

The duties arising on certain stereotype plates imported by the Bible Society of Philadelphia, remitted, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the duties arising and due to the United States upon certain stereotype plates, imported during the last year into the port of Philadelphia, on board the ship Brilliant, by the Bible Society of Philadelphia, for the purpose of printing editions of the Holy Bible, be, and the same are hereby, remitted, on behalf of the United States, to the said society; and any bond or security given for the securing of the payment of the said duties shall be cancelled. [Approved, February 2, 1813.]

CHAP. 483. [CLK.] An act supplementary to an act, entitled "An act to provide for calling forth the militia to execute the laws, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes," and to increase the pay of volunteer and militia corps.\*

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[\* See original act, of 28th February, 1795; chap. 277, vol. 2.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, in every case in which a court martial shall have adjudged and determined a fine against any officer, noncommissioned officer, musician, or private, of the militia, for any of the causes specified in the act to which this act is a supplement,† or in the fourth section of an act, entitled "An act to authorize a detachment from the militia of the United States,"‡ all such fines, so assessed, shall be certified to the comptroller of the treasury of the United States, in the same manner as the act to which this act is a supplement directed the same to be certified to the supervisor of the revenue.

Fines imposed by courts martial to be certified to the comptroller of the treasury, &c. [† See chap. 277, vol. 2.]

[‡ Ante, ch. 378.]

SECT. 2. *And be it further enacted,* That the marshals shall pay all fines which have been levied and collected by them, or their respective deputies, under the authority of the acts herein referred to, into the treasury of the United States, within two months after they shall have received the same, deducting five per centum for their own trouble; and in case of failure, it shall be the duty of the comptroller of the treasury to give notice to the district attorney of the United States, who shall proceed against the said marshal in the district court, by attachment, for the recovery of the same.

Marshals to pay fines, within two months after collection, into the treasury, deducting five per cent, &c.

SECT. 3. *And be it further enacted,* That the noncommissioned officers, musicians, and privates, of volunteer and militia corps, who, subsequent to the thirty-first day of December, one thousand eight hundred and twelve, shall have been, or may hereafter be, called out, while in the service of the United States shall, during the continuance of the present war between the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America, and their territories, be entitled to and receive the same monthly pay, rations, and forage, and furnished with the same camp equipage, as are or may be provided by law for the noncommissioned officers, musicians, and privates, of the army of the United States.

Noncommissioned officers, musicians, and privates, of volunteer and militia corps, entitled to the same monthly pay, rations, and forage, &c. as those of the army of the United States, during, &c.

[Approved, February 2, 1813.]

CHAP. 484. [CLXI.] An act for the relief of Jared Shattuck.§

[§ Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That there be paid to Jared Shattuck, out of any moneys in the treasury, not otherwise appropriated, the sum of thirty-three thousand eight hundred and sixty-four dollars and fifty-five cents, being the amount decreed on the third of March, one thousand eight hundred and six, by the supreme court of the United States, to the said Jared Shattuck, for his damages in an amicable suit against lieutenant Maley, master of the United States' schooner

33,864 dolls. and 55 cents to be paid to Jared Shattuck, being the amount of damages decreed to him in an amicable suit against lieutenant Maley, master of the United States' schooner



1813.

Experiment,  
&c.

Also interest at  
6 per cent. on  
\$5,517 dolls. and  
44 cents, from  
the 3d of March,  
1806. \*

**Experiment**, whose appearance was entered and defence conducted by the attorney of the United States for the district of Pennsylvania, in pursuance of instructions given to him from the executive of the United States, in the capture by said Maley of the ship *Mercator*, in the year eighteen hundred; and also the interest, at six per cent. on the sum of twenty-five thousand five hundred and seventeen dollars and forty-four cents, from the third day of March, one thousand eight hundred and six.

[Approved, February 2, 1813.]

CHAP. 485. [CLXII.] An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois territory.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States in congress assembled,* That

Persons, &c. inhabiting and cultivating tracts of land in the districts established in the Illinois territory, not rightfully claimed, &c. entitled to a preference in becoming purchasers, &c.

every person, or legal representative of every person, who has actually inhabited and cultivated a tract of land, lying in either of the districts established for the sale of public lands in the Illinois territory, which tract is not rightfully claimed by any other person, and who shall not have removed from said territory; every such person, and his legal representatives, shall be entitled to a preference in becoming the purchaser from the United States of such tract of land, at private sale, at the same price, and on the same terms and conditions, in every respect, as are or may be provided by law for the sale of other lands sold at private sale in said territory, at the time of making such purchase: *Provided*, That no more than one quarter section of land shall be sold to any one individual in virtue of this act; and the same shall be bounded by the sectional and divisional lines run, or to be run, under the direction of the surveyor general for the division of the public lands: *Provided also*, That no lands reserved from sale by former acts, or lands which have been directed to be sold in town lots, and out lots, shall be sold under this act.

Proviso; not more than one quarter section to one individual, &c.

Proviso; lands reserved, or directed to be sold in town lots, &c. not to be sold under this act.

Persons claiming a preference in purchasing to deliver notice in writing to the register of the land office, &c.

Where it appears to the satisfaction of the register, &c. that persons are entitled to a preference, they may enter the quarter sections with the register, on producing receipts, &c.

SECT. 2. *And be it further enacted*, That every person claiming a preference in becoming the purchaser of a tract of land in virtue of this act, shall make known his claim, by delivering a notice in writing, to the register of the land office for the district in which the land may lie, wherein he shall particularly designate the quarter section he claims; which notice the register shall file in his office, on receiving twenty-five cents from the person delivering the same. And in every case where it shall appear, to the satisfaction of the register and receiver of public moneys of the land office, that any person, who has delivered his notice of claim, is entitled, according to the provisions of this act, to a preference in becoming the purchaser of a quarter section of land, such person, so entitled, shall have a right to enter the same, with the register of the land office, on producing his receipt from the receiver of public moneys for at least one-twentieth part of the purchase money, as in case of other public lands sold at private sale: *Provided*, That all lands to be sold under this act shall be entered with the register, at least two weeks be-

Proviso; lands sold under this act to be entered

fore the time of the commencement of the public sales, in the district wherein the land lies: and every person having a right of preference in becoming the purchaser of a tract of land, who shall fail so to make his entry with the register, within the time prescribed, his right shall be forfeited, and the land by him claimed shall be offered at public sale, with the other public lands in the district to which it belongs. [Approved, February 5<sup>th</sup> 1813.]

with the register two weeks before the public sales, &c. Persons having a right of preference, &c. failing to make entry within the time, &c. their rights are forfeited, &c.

**CHAP. 486. [CLXIII.]** An act authorizing a loan for a sum not exceeding sixteen millions of dollars.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to borrow, on the credit of the United States, a sum not exceeding sixteen millions of dollars, to be applied, in addition to the moneys now in the treasury, or which may be received from other sources, to defray any of the expenses which have been, or, during the present session of congress, may be, authorized by law, and for which appropriations have been, or, during the present session of congress, may be, made by law: *Provided,* That no engagement nor contract shall be entered into, which shall preclude the United States from reimbursing any sum or sums thus borrowed, at any time after the expiration of twelve years from the first day of January next: *And it is hereby further declared,* That it shall be deemed a good execution of the said power to borrow, for the president of the United States to cause to be sold the whole or any part of the certificates of stock issued for the sums to be borrowed by virtue of this act.

The president authorized to borrow, on the credit of the United States, a sum not exceeding 16,000,000 of dollars, to defray authorized expenses, &c.

Provido; any sums borrowed may be reimbursed twelve years after the 1st of January, 1814.

Sale of the certificates of stock a good execution of the power to borrow.

**SECT. 2.** *And be it further enacted,* That the president of the United States do cause to be laid before congress, on the first Monday in February, eighteen hundred and fourteen, or as soon thereafter as congress may be in session, an account of all the moneys obtained by the sale of the certificates of stock, by virtue of the power given him by the preceding section, together with a statement of the rate at which the same may have been sold.

The president to cause to be laid before congress an account of all the moneys obtained by the sale of certificates, &c.

**SECT. 3.** *And be it further enacted,* That the secretary of the treasury be, and he is hereby, authorized to employ, with the approbation of the president of the United States, an agent or agents, for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock created by virtue thereof. A commission not exceeding one-quarter of one per cent. on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the secretary of the treasury, be allowed to such agent or agents; and a sum, not exceeding forty thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, is hereby appropriated, for paying the amount of such commission or commissions, as may be thus allowed, and also for defraying the expenses of printing and issuing the subscription certificates and certificates

The secretary of the treasury, with the approbation of the president, to employ agents to obtain subscriptions to the loan, &c. Commission to agents.

40,000 dolls. appropriated to pay commissions and defray other expenses.

1813. of stock, and other expenses incident to the receiving of subscriptions, and completing the loan authorized by this act.

Surplus funds of the annual appropriation of \$ millions of dollars for the payment of the public debt, pledged for the payment of the interest and principal of stock created by virtue of this act.

Commissioners of the sinking fund to cause the sums annually wanted to be paid, &c.

The faith of the United States pledged to establish sufficient revenues to make up any deficiency.

Banks in the district of Columbia authorized to lend money under this act.

SECT. 4. *And be it further enacted*, That so much of the funds constituting the annual appropriation of eight millions of dollars for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest and such part of the principal, of said debt, as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal, of the stock which may be created by virtue of this act: it shall, accordingly, be the duty of the commissioners of the sinking fund to cause to be applied and paid, out of the said fund, yearly, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal, as the same shall become due and may be discharged in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sum or sums, out of the said fund, as they may think proper, towards redeeming, by purchase, and at a price not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged, to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest, and principal sums, or any of them, in manner aforesaid.

SECT. 5. *And be it further enacted*, That it shall be lawful for any of the banks in the district of Columbia to lend any part of the sum authorized to be borrowed by virtue of this act, any thing in any of their charters of incorporation to the contrary notwithstanding. [Approved, February 8, 1813.]

[\* See act of 2d Aug. 1813; chap. 586, post, also, act of 14th March, 1814; chap. 668, post.]

The 2 per cent. reserved in the hands of the collectors and consuls, to be paid into the treasury, to constitute a fund, &c. [Ante, ch. 430.]

The secretary of the navy required to place officers, seamen, &c. of private armed vessels, wounded, &c. on the pension list. [† See sec. 3, ch. 187, vol. 3.]

Rates of pensions.

CHAP. 487. [CLXIV.] An act regulating pensions to persons on board private armed ships.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the two per centum reserved in the hands of the collectors and consuls, by the act of June, eighteen hundred and twelve, entitled "An act concerning letters of marque, prizes, and prize goods,"† shall be paid to the treasury, under the like regulations provided for other public money, and shall constitute a fund for the purposes provided for by the seventeenth section of the beforementioned act.

SECT. 2. *And be it further enacted*, That the secretary of the navy be authorized and required to place on the pension list, under the like regulations and restrictions as are used in relation to the navy of the United States,‡ any officer, seaman, or mariner, who, on board of any private armed ship or vessel bearing a commission of letter of marque, shall have been wounded, or otherwise disabled, in any engagement with the enemy; allowing to the captain, a sum not exceeding twenty dollars per month;

to merchants and sailing master, a sum not exceeding twelve dollars, each, per month; to marine officer, boatswain, gunner, carpenter, master's mate, and prize masters, a sum not exceeding ten dollars, each, per month; to all other officers, a sum not exceeding eight dollars, each, per month, for the highest rate of disability, and so in proportion; and to a seaman, or acting as a marine, the sum of six dollars per month, for the highest rate of disability, and so in proportion; which several pensions shall be paid, by direction of the secretary of the navy, out of the fund above provided, and from no other.

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The pensions to be paid out of the fund specified only.

SECT. 3. *And be it further enacted*, That the commanding officer of every vessel having a commission, or letters of marque and reprisal, shall enter in his journal the name and rank of any officer, and the name of any seaman, who, during his cruise, shall have been wounded or disabled as aforesaid, describing the manner and extent, as far as practicable, of such wound or disability.

Commanding officers to enter the names, &c. of wounded persons in their journals, &c.

SECT. 4. *And be it further enacted*, That every collector shall transmit, quarterly, to the secretary of the navy, a transcript of such journals as may have been reported to him, so far as it gives a list of the officers and crew, and the description of wounds and disabilities, the better to enable the secretary to decide on claims for pensions. [Approved, February 13, 1813.]

Collectors to transmit quarterly a transcript of the journals to the secretary of the navy, &c.

CHAP. 488. [CLXV.] An act confirming certain claims to lands in the district of Vincennes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all the decisions of the register and receiver of public moneys for the district of Vincennes, made in favor of persons claiming donation lands in said district, as entered in a list of claims which, in the opinion of the said register and receiver, ought to be confirmed, in pursuance of the act, entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes,"\* passed on the thirtieth day of April, one thousand eight hundred and ten, which list is a part of their report to the secretary of the treasury, bearing date of the twenty-seventh day of May, one thousand eight hundred and twelve, be, and the same are hereby, confirmed.

The decisions of the register and receiver for the district of Vincennes, in favor of persons claiming donation lands, &c. entered in a list, &c. pursuant to the act mentioned, &c. confirmed. [\*Ante, ch. 260.]

SECT. 2. *And be it further enacted*, That the following persons, whose claims, according to the aforesaid report, are not embraced by the provisions of the above recited act, but which, nevertheless, in the opinion of the register and receiver ought to be confirmed, shall be, and their claims are hereby, confirmed, respectively, to the following quantities of land, that is to say: the heirs of Francis Peltier, the heirs of Bernice Lefevre, and the heirs of Jean Btt. Valecour, respectively, four hundred acres; Rene Campeau, Francois Cardinal, the heirs of Joseph Pancake, the heirs of Jacob Howell, the heirs of Alexander Wilson, the heirs of Daniel Sullivan, and the heirs of Jacob Tevebaugh, respectively, one hundred acres.

Specific quantities of land confirmed to the persons mentioned, &c.

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Persons whose claims are confirmed may register their locations with the register at Vincennes, on any part of the tract set apart, &c.

(\* Ante, ch. 48.)  
 Proviso; the locations to be made prior to the 1st Oct. 1813, &c.  
 [† See chap. 700, post.]

Persons, &c. whose claims are confirmed, &c. entitled to receive certificates authorizing the issuing of patents.

The register to receive 1 dollar for each certificate, &c.

**SECT. 3.** *And be it further enacted, That the several persons whose claims are confirmed by this act, are hereby authorized to enter their locations with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in said district, by virtue of the act, entitled "An act respecting claims to lands in the Indiana territory and state of Ohio,"\* and in conformity to the provisions of that act: Provided, That such locations shall be made prior to the first day of October next; and the right of any person who shall neglect to locate prior to that day shall become void and forever be barred.†*

**SECT. 4.** *And be it further enacted, That every person, or the legal representative of every person, whose claim to a tract of land is confirmed by this act, shall, whenever his claim shall have been located and surveyed, be entitled to receive, from the register of the land office at Vincennes, a certificate, stating that the claimant is entitled to receive a patent for such tract of land, by virtue of this act; for which certificate the register shall receive one dollar; and which certificate shall entitle the party to a patent for the said tract of land, which shall issue in like manner as is provided by law for the other lands of the United States. [Approved, February 13, 1813.]*

[† See the note at the end of chap. 700, post.]

**CHAP. 489. [CLXVI.]** An act making provision for an additional number of general officers.‡

Six major generals to be appointed in addition, &c.  
 Two aids de camp allowed to each.  
 Six brigadier generals; brigade majors, &c.

The officers authorized by this act, to receive the same pay, &c. as those of the same grade in the present military establishment.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the president be, and he is hereby, authorized, by and with the advice and consent of the senate, to appoint six major generals in addition to those already authorized by law; each of whom shall be allowed two aids de camp, to be taken from the officers of the line; and six brigadier generals, who shall be allowed a brigade major, and one aid de camp each, to be taken also from the officers of the line.*

**SECT. 2.** *And be it further enacted, That the officers authorized by this act shall receive the same pay, forage, rations, and other emoluments, as the officers of the same grade of the present military establishment. [Approved, February 24, 1813.]*

[§ Private and obsolete.]

**CHAP. 490. [CLXVII.]** An act for the relief of Reuben Attwater.§

500 dolls. to be paid out of the treasury to Reuben Attwater, as an additional allowance whilst acting as secretary of the Michigan territory, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the sum of five hundred dollars be paid, out of any moneys in the treasury, not otherwise appropriated, to Reuben Attwater, as an additional allowance for his services, whilst acting as secretary of the Michigan territory, and commissioner of land claims, and as a full compensation for all his ex officio services.*

*[Approved, February 24, 1813.]*

## CHAP. 491. [CLXVIII.] An act for the relief of John Redfield, junior.\*

1813.

[\*Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That John Redfield, junior, of the city of New York, an insolvent debtor, now, and for a long time passed, confined in gaol for debts due to the United States, which he is wholly unable to pay, be henceforth discharged from arrest and imprisonment, or and on account of the said debts, and all costs and charges touching the same: *Provided always,* That all property, real, personal, or mixed, which the said John Redfield, junior, now has, or hereafter may have or acquire, shall be liable to be taken in execution for and on account of the said debts and the costs; and nothing in this act shall be construed to impair the right of the United States to any estate which the said Redfield has assigned or conveyed to any person or persons whatever, nor to prevent the recovering of said estate for the satisfaction of said debts and costs: *Provided also,* That nothing in this act shall operate to discharge any person or persons whatever, except said Redfield, who may now be liable to the United States, in any manner or form, either in whole or in part, for said debts and costs. [Approved, February 24, 1813.]

John Redfield, jun. confined for debts due to the United States, &c. to be discharged, &c.

Proviso; the present and future property of John Redfield, jun. to be liable, &c. and nothing in this act to impair the right of the United States to any estate he may have conveyed, &c.

Proviso; nothing in this act to discharge any person but R. dfield, &c.

## CHAP. 492. [CLXIX.] An act authorizing the issuing of treasury notes for the service of the year one thousand eight hundred and thirteen.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to cause treasury notes, for such sum or sums as he may think expedient, but not exceeding in the whole the sum of five millions of dollars, to be prepared, signed, and issued, in the manner hereinafter provided.

The president to cause treasury notes for 5,000,000 dollars, to be prepared and issued.

SECT. 2. *And be it further enacted,* That the president of the United States be, and he is hereby, authorized, in addition to the amount authorized by the next preceding section of this act, to cause treasury notes, for such sum or sums as he may think expedient, but not exceeding in the whole the further sum of five millions of dollars, to be prepared, signed, and issued, in the manner hereinafter provided: *Provided,* That the amount of money borrowed or obtained by virtue of the notes which may be issued by virtue of this section, shall be deemed and held to be in part of the sum of sixteen millions of dollars, authorized to be borrowed by virtue of the act to that effect, passed during the present session of congress.†

Additional sum of 5,000,000 dollars may be issued, &c.

Proviso; the amount borrowed by virtue of notes issued under this section to be deemed part of the 16,000,000 of dollars, &c. [† See ante, ch. 486.]

SECT. 3. *And be it further enacted,* That the said treasury notes shall be reimbursed by the United States, at such places, respectively, as may be expressed on the face of the said notes, one year respectively after the day on which the same shall have been issued; from which day of issue they shall bear interest, at the rate of five and two-fifths per centum a year, payable to the owner and owners of such notes, at the treasury, or by the proper

The notes to be reimbursed at the places expressed, a year after they issue, &c.

5 and 2-5ths per cent. interest from the day of issue, &c.

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commissioner of loans, or by the officer designated for that purpose, at the places and times respectively designated on the face of said notes, for the payment of the principal.

The notes to be signed by persons to be appointed by the president, &c.

Compensation for signing, &c.

The notes to be countersigned, &c.

Compensation for countersigning, &c.

The secretary of the treasury may pay the notes for supplies, &c.

The secretary, &c. may borrow on the credit of the notes, &c.

Or sell, &c.

The notes may be paid to such banks as will receive them at par and give credit, &c.

The secretary of the treasury may employ agents for selling the notes, &c.

Commission to the agents.

Not exceeding \$5,000 dolls. appropriated for paying commissions.

The notes transferable by delivery and assignment, &c.

Treasury notes receivable for all duties and

SECT. 4. *And be it further enacted*, That the said treasury notes shall be respectively signed, in behalf of the United States, by persons to be appointed for that purpose by the president of the United States, two of which persons shall sign each note, and shall each receive, as a compensation for that purpose, at the rate of one dollar and twenty-five cents for every hundred notes thus signed by them respectively; and the said notes shall likewise be countersigned by the commissioner of loans for that state where the notes may respectively be made payable, or by the register of the treasury, if made payable in the district of Columbia, or by a person to be appointed for that purpose by the president of the United States, if made payable in a state for which there is no commissioner of loans; which person or persons thus appointed, shall also receive, as a compensation for that service, at the rate of one dollar and twenty-five cents for every hundred notes thus signed by him or them respectively.

SECT. 5. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to cause to be issued such portion of the said treasury notes as the president may think expedient, in payment of supplies, or debts due by the United States, to such public creditors or other persons as may choose to receive such notes in payment, as aforesaid, at par: and the secretary of the treasury is further authorized, with the approbation of the president of the United States, to borrow, from time to time, not under par, such sums as the president may think expedient on the credit of such notes; or to sell, not under par, such portion of the said notes as the president may think expedient: And it shall be a good execution of this provision, to pay such notes to such bank or banks as will receive the same at par, and give credit to the treasurer of the United States for the amount thereof, on the day on which the said notes shall thus be issued and paid to such bank or banks respectively.

SECT. 6. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to employ an agent or agents for the purpose of selling any portion of the notes which may be issued by virtue of this act: a commission not exceeding one-quarter of one per cent. on the amount thus sold, may, by the secretary of the treasury, be allowed to such agent or agents; and a sum, not exceeding twenty-five thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, may hereby appropriated for paying such commission or commissions as may be thus allowed.

SECT. 7. *And be it further enacted*, That the said treasury notes shall be transferable by delivery, and assignment, endorsed thereon by the person to whose order the same shall, on the face thereof, have been made payable.

SECT. 8. *And be it further enacted*, That the said treasury notes, wherever made payable, shall be every where received in

payment of all duties and taxes laid by the authority of the United States, and of all public lands sold by the said authority: on every such payment credit shall be given for the amount of both the principal and the interest, which, on the day of such payment, may appear due on the note or notes thus given in payment: and the said interest shall, on such payments, be computed at the rate of one cent and one-half of a cent per day, on every hundred dollars of principal, and each month shall be computed as containing thirty days.

SECT. 9. *And be it further enacted*, That any person making payment to the United States, in the said treasury notes, into the hands of any collector, receiver of public moneys, or other public officer or agent, shall, on books kept according to such forms as shall be prescribed by the secretary of the treasury, give duplicate certificates of the number and respective amount of principal and interest of each and every treasury note thus paid by such person; and every collector, receiver of public moneys, or other public officer or agent, who shall thus receive any of the said treasury notes in payment, shall, on payment of the same into the treasury, or into one of the banks where the public moneys are or may be deposited, receive credit both for the principal and for the interest, computed as aforesaid, which, on the day of such last mentioned payment, shall appear due on the note or notes thus paid in; and he shall be charged for the interest accrued on such note or notes, from the day on which the same shall have been received by him in payment as aforesaid to the day on which the same shall be paid by him as aforesaid: *Provided always*, That no such charge or deduction shall be made with respect to any bank into which payments, as aforesaid, may be made to the United States, either by individuals or by collectors, receivers, or other public officers or agents, and which shall receive the same as specie, and give credit to the treasurer of the United States for the amount thereof, including the interest accrued and due on such notes on the day on which the same shall have been thus paid into such bank on account of the United States.

SECT. 10. *And be it further enacted*, That the commissioners of the sinking fund be, and they are hereby, authorized and directed to cause to be reimbursed and paid the principal and interest of the treasury notes which may be issued by virtue of this act, at the several time and times when the same, according to the provisions of this act, should be thus reimbursed and paid; and the said commissioners are further authorized to make purchases of the said notes, in the same manner as of other evidences of the public debt, and at a price not exceeding par, for the amount of the principal and interest due at the time of purchase of such notes. So much of the funds constituting the annual appropriation of eight millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest and such part of the principal of the said debt as the United States are now

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taxes laid by the United States, public lands, &c. Credit to be given for principal and interest on every payment, &c. Method of computing interest, &c.

Persons paying the treasury notes to the United States, &c. to give duplicate certificates, &c.

Collectors, &c. on payment into the treasury, &c. to receive credit for principal and interest, &c.

And to be charged interest from the receipt until the payment, &c.

Provide; no deduction with respect to banks which receive the notes as specie, and give credit, &c.

The commissioners of the sinking fund authorized to cause the treasury notes, principal and interest, to be reimbursed, &c. and to make purchases, &c.

So much of the annual appropriation of \$5,000,000 of dollars, as may be wanted, after satisfying, &c. pledged for the payment of interest and principal, &c.



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Appropriation  
for making up  
any deficiency  
in the funds  
pledged, &c.

The secretary of  
the treasury to  
cause to be paid  
to the commis-  
sioners, &c.  
sums necessary  
to pay principal  
and interest, &c.

40,000 dolls. ap-  
propriated for  
defraying the  
expense of  
issuing the trea-  
sury notes.

Imprisonment,  
hard labor, and  
fine, for falsely  
making, forging,  
counterfeiting,  
&c. treasury  
notes issued in  
violation of this  
act.

pledged annually to pay and reimburse, including therein the interest and principal which may become payable upon any loan or loans which may be contracted by virtue of any law passed during the present session of congress, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement or purchase of the principal, of the said notes; and so much of any moneys in the treasury, not otherwise appropriated, as may be necessary for that purpose, is hereby appropriated for making up any deficiency in the funds thus pledged and appropriated, for paying the principal and interest as aforesaid; and the secretary of the treasury is hereby authorized and directed, for that purpose, to cause to be paid to the commissioners of the sinking fund such sum or sums of money, and at such time and times, as will enable the said commissioners faithfully and punctually to pay the principal and interest of the said notes.

SECT. 11. *And be it further enacted*, That a sum of forty thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, be, and the same is hereby appropriated for defraying the expense of preparing, printing, engraving, signing, and otherwise incident to the issuing of, the treasury notes authorized by this act.

SECT. 12. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any note in imitation of, or purporting to be, a treasury note aforesaid; or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering, any treasury note issued as aforesaid; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited, note, purporting to be a treasury note as aforesaid, knowing the same to be falsely made, forged, or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered treasury note, issued as aforesaid, knowing the same to be falsely altered; every such person shall be deemed and adjudged guilty of felony, and, being thereof convicted, by due course of law, shall be sentenced to be imprisoned and kept to hard labor for a period not less than three years, nor more than ten years, and be fined in a sum not exceeding five thousand dollars. [Approved, February 25, 1813.]

[\* Private and  
obsolete.]

CHAP. 493. [CLXX.] An act for the relief of John Dixon and John Murray.\*

The secretary of  
the treasury to  
pay to John  
Dixon, &c. 329  
dolls. 84 cents,  
with 6 per cent.  
interest for the  
time specified,  
being the amount  
of a final settle-  
ment certificate,  
&c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of the treasury be, and he hereby is, authorized to pay to John Dixon, out of any money in the treasury, not otherwise appropriated, the sum of three hundred and twenty-nine dollars and eighty-four cents, with six per centum per annum interest thereon, from the first day of January, one thousand seven hundred and eighty-five, being the amount of a final settlement

certificate, number five hundred and ninety-six, issued by Andrew Dunscomb, late commissioner of accounts for the state of Virginia, on the twenty-third day of December, one thousand seven hundred and eighty-six, to Lucy Dixon, who transferred the same to John Dixon.

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SECT. 2. *And be it further enacted*, That the accounting officers of the treasury be, and they hereby are, authorized and directed to settle the account of John Murray, representative of Doctor Henry Murray, and that he be allowed the amount of three loan office certificates, number thirteen thousand nine hundred and seventy-five, for two hundred dollars; number thirteen thousand nine hundred and seventy-six, for two hundred dollars; number six thousand four hundred, for six hundred dollars; with interest from the twenty-ninth day of March, one thousand seven hundred and eighty-two, issued in the name of Henry Murray, signed Francis Hopkinson, treasurer of loans, and countersigned Thomas Harwood; and that the amount due be paid to the said John Murray, out of any money in the treasury, not otherwise appropriated. [*Approved, February 25, 1813.*]

The accounting officers of the treasury directed to settle the account of John Murray, &c. and allow him the amount of three loan office certificates, as specified, &c.

CHAP. 494. [CLXXI.] An act for the relief of Royal Converse.\*

[\* Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That Royal Converse, now imprisoned in the town of Burlington, in the county of Chittenden, and district of Vermont, shall be, and is hereby, released and discharged from all claim and demand of the United States, to or upon a certain judgment or sentence before the circuit court of the second circuit of the United States, began and holden at Rutland, within and for the said district of Vermont, on the third day of October, in the year of our Lord one thousand eight hundred and twelve, recovered or rendered for the sum of five hundred and twenty-eight dollars, with costs, at their suit, for importing into the United States, to wit: into the said Vermont district, certain goods, wares, and merchandise, contrary to law. [*Approved, February 25, 1813.*]

Royal Converse, imprisoned in Burlington, Vermont, at the suit of the United States, for importing goods, &c. contrary to law, discharged from all claim, &c.

CHAP. 495. [CLXXII.] An act to impose a duty on the importation of iron wire.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That iron wire, which, from and after the passage of this act, shall be imported into the United States, and the territories thereof, shall be subject to the same duty as is paid on the importation of iron, steel, or brass locks, hinges, hoes, anvils, and vices.

SECT. 2. *And be it further enacted*, That an addition of ten per centum shall be made on the rate of duty hereby directed to be collected on the importation of iron wire as aforesaid, in ships or vessels not of the United States.†

Iron wire imported after the 25th Feb. 1813, to be subject to the same duty as iron, steel, or brass locks, &c.

Addition of 10 per cent. to the rate if imported in vessels not of the United States.  
† See act of 3d March, 1813; chap. 790, post.]

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The duty laid by this act to be collected in like manner as the duties now in force, &c.

**SECT. 3.** *And be it further enacted,* That the duty laid by this act shall be levied and collected in the same manner, and under the same regulations and allowances, as to drawbacks, mode of security, and time of payment, as the duties now in force on the articles hereinbefore enumerated.

[*Approved, February 25, 1813.*]

[\* See act of 2d Aug. 1813; chap. 600, post.]

**CHAP. 496. [CLXXIII.]** An act to raise ten additional companies of rangers.\*

The president authorized to raise ten additional companies of rangers, &c. in lieu of one of the regiments, &c.

[† Ante, ch. 334.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to raise ten additional companies of rangers, on the same provisions, conditions, and restrictions, as those authorized to be raised by "An act authorizing the president of the United States to raise certain companies of rangers for the protection of the frontier of the United States,"† which said companies shall be in lieu of one of the regiments authorized to be raised by the "Act in addition to the act, entitled "An act to raise an additional military force, and for other purposes,"‡ passed the twenty-ninth day of January, one thousand eight hundred and thirteen.§

[§ See act of 24th Feb. 1814; chap. 603, post.]

[*Approved, February 25, 1813.*]

**CHAP. 497. [CLXXIV.]** An act to alter the time for the next meeting of congress.

[This act provides that the next meeting of congress shall be on the fourth Monday of May, 1813. *Approved, February 27, 1813,*]

**CHAP. 498. [CLXXV.]** An act directing the secretary of the treasury to remit certain fines, penalties, and forfeitures, therein mentioned.

Where goods, &c. have been imported, &c. from the dependencies of Great Britain, &c. since the declaration of war, or shipped prior to 2d Feb. 1811, when by the persons concerned have incurred any fine, &c. on their petitioning, &c. the secretary, on proof, &c. directed to remit, &c.

[§ Ante, ch. 104.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, in all cases where goods, wares, and merchandise, have been imported or introduced into the United States (the same not having been clandestinely imported or introduced) from the dependencies of the United Kingdom of Great Britain and Ireland, since the declaration of war by the United States against the said kingdom, or which were shipped from the said kingdom prior to the second day of February, one thousand eight hundred and eleven, whereby the person or persons interested in such goods, wares, or merchandise, or concerned in the importation or introduction thereof, into the United States, hath or have incurred any fine, penalty, or forfeiture, under an act, entitled "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes;"|| and an act, entitled "An act concerning the commercial intercourse between the United States and Great Britain and

France, and their dependencies, and for other purposes;”\* and the act supplementary to the act last mentioned,† on such person or persons petitioning for relief to any judge or court, proper to hear the same, in pursuance of the provisions of the act, entitled “An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned,”‡ and on the facts being shown, on inquiry had by the said judge or court, stated and transmitted, as by the said act is required, to the secretary of the treasury; in all such cases, wherein it shall be proved, to his satisfaction, that the said goods, wares, and merchandise, at the time of their importation or introduction into the United States were bona fide American property, that they were not clandestinely imported or introduced, and that they were imported or introduced since the declaration of war aforesaid, the secretary of the treasury is hereby directed to remit all fines, penalties, and forfeitures, that may have been incurred under the said acts, in consequence of such importation or introduction into the United States, upon the costs and charges that have arisen, or may arise, being paid, and on payment of the duties that would have been payable by law, on such goods, wares, and merchandise, if legally imported; and also, to direct the prosecution or prosecutions, if any shall have been instituted for the recovery of the said fines, penalties, and forfeitures, to cease and be discontinued.

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\* Ante, ch. 352.  
† Ante, ch. 306.

[‡ Ch. 361, vol. 2.]

Costs, charges, and duties, to be paid.

Prosecutions to cease.

SECT. 2. *And be it further enacted*, That the duties payable on the goods, wares, and merchandise, embraced by the provisions of the act, entitled “An act authorizing the admission, under certain circumstances, of vessels owned by citizens of the United States of America, with their cargoes, from British ports beyond the Cape of Good Hope,”§ shall not, in any case, be paid, or secured to be paid, in such manner as to postpone the payment of such duties beyond the time and times at which the said duties should have become payable if the goods, wares, and merchandise, had been imported and entered at the time of passing this act, any thing in the act abovementioned to the contrary notwithstanding. [Approved, February 27, 1813.]

The duties payable on goods, &c. embraced by the provisions of the act mentioned, not to be secured, &c. in such manner as to postpone the payment of them beyond the time, &c.  
[§ Ante, ch. 479.]

CHAP. 499. [CLXXVI.] An act in addition to an act regulating the post office establishment ||

[|| See sec. 3, 4, 5, of act of 27th Feb. 1815; chap. 747, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the postmaster general be, and he is hereby, authorized to contract for carrying mails of the United States in any steam boat or boats, which are or may be established to ply between one post town and another post town: *Provided*, That such contract shall not be made for a longer period than four years: *And provided also*, That the pay for such service shall not be at a greater rate, taking into consideration distance, expedition, and frequency, than is paid for carrying the mail by stages, on the post road or roads adjacent to the course of such steam boats, and that such

The postmaster general authorized to contract for carrying mails in any steam boat, &c. but not for more than four years.

Provido; the pay not to be greater, &c. than for carrying the mail by stages, &c.

**1813.** contracts shall secure the regular transportation of the mail throughout each year. [*Approved, February 27, 1813.*]

**CHAP. 500. [CLXXVII.]** An act authorizing the appointment of additional officers in the respective territories of the United States.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That there shall be appointed, in the respective territories of the United States, a person learned in the law, to act as attorney of the United States, who shall, besides the usual fees of office,\* receive an annual salary of two hundred and fifty dollars, payable quarter yearly, at the treasury of the United States; and there shall also be appointed, in each of said territories, a marshal, who shall receive the same fees and compensation as is allowed by law to the marshal of the district of Kentucky.†

An attorney of the United States to be appointed for each territory, &c.  
[\* See chap. 128, vol. 2.]

A marshal for each territory, &c.

[† See s. c. 1, ch. 128, vol. 3.]

[*Approved, February 27, 1813.*]

**CHAP. 501. [CLXXVIII.]** An act to establish certain post roads in the state of Louisiana.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the following post roads be established from Natchez, in the Mississippi territory, by Concordia, to Catahoula, and, from thence, by Rapids, to Natchitoches; from St. Francisville, by St. Helena, and St. Tammany, to Madisonville.

Post roads established from Natchez, &c.

[*Approved, February 27, 1813.*]

**CHAP. 502. [CLXXIX.]** An act to encourage vaccination.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to appoint an agent to preserve the genuine vaccine matter, and to furnish the same to any citizen of the United States, whenever it may be applied for, through the medium of the post office; and such agent shall, previous to his entering upon the execution of the duties assigned to him by this act, and before he shall be entitled to the privilege of franking any letter or package as herein allowed, take and subscribe the following oath or affirmation, before some magistrate, and cause a certificate thereof to be filed in the general post office: "*I, A. B., do swear (or affirm, as the case may be) that I will faithfully use my best exertions to preserve the genuine vaccine matter, and to furnish the same to the citizens of the United States; and also, that I will abstain from every thing prohibited in relation to the establishment of the post office of the United States.*" And it shall be the duty of the said agent to transmit to the several postmasters in

The president to appoint an agent to preserve the genuine vaccine matter, &c.  
It may be furnished to citizens through the medium of the post office, &c.  
The agent to take an oath, &c.

Form of the oath.

The agent to transmit a copy of this act to the

the United States a copy of this act: and he shall also forward to them a public notice, directing how and where all application shall be made to him for vaccine matter. 1813.

SECT. 2. *And be it further enacted*, That all letters or packages, not exceeding half an ounce in weight, containing vaccine matter, or relating to the subject of vaccination, and that alone, shall be carried by the United States' mail free of any postage, either to or from the agent who may be appointed to carry the provisions of this act into effect: *Provided always*, That the said agent, before he delivers any letter for transmission by the mail, shall, in his own proper hand writing, on the outside thereof, endorse the word "Vaccination," and thereto subscribe his name, and shall previously furnish the postmaster of the office where he shall deposite the same with a specimen of his signature; and if said agent shall frank any letter or package, in which shall be contained any thing relative to any subject other than vaccination, he shall, on conviction of every such offence, forfeit and pay a fine of fifty dollars, to be recovered in the same manner as other fines or violations of law establishing the post office: *Provided also*, That the discharge of any agent, and the appointment of another in his stead, be at the discretion of the president of the United States. [Approved, February 27, 1813.]

postmasters; forward a public notice, &c.

Letters, &c. not exceeding half an ounce, and relating to vaccination, to go free of postage to and from the agent.

Proviso; the agent to endorse "Vaccination" on his letters, &c. furnish a specimen of his signature, &c.

If the agent franks any letter, &c. containing any thing not relating to vaccination, he forfeits fifty dollars, &c.

Proviso; the discharge and appointment of an agent to be at the discretion of the president.

CHAP. 503. [CLXXX.] An act giving further time for registering claims to lands in the eastern and western districts of the territory of Orleans, now state of Louisiana.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That every person or persons claiming lands in the eastern or western district of the territory of Orleans, now state of Louisiana, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the register of the land office for the district wherein the lands lie, shall be allowed until the first day of January next, to deliver notices in writing, and the written evidences of their claims, in the said districts, respectively, to the register of the land office at New Orleans and Opelousas; and the notices and evidences so delivered, within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the rights of such persons as shall neglect so doing, within the time limited by this act, shall, so far as they are derived from, or founded on, any act of congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any court of the United States against any grant derived from the United States.

Persons claiming lands in the eastern or western district of Louisiana, being actual settlers, &c. whose claims have not been filed, &c. allowed until the 1st Jan. 1814, to deliver notices in writing, &c.

The notices, &c. to be recorded, &c.

The rights of persons neglecting to deliver notices, &c. to be barred, &c.

SECT. 2. *And be it further enacted*, That every person or persons who had filed his or their notice of claims to land lying within either of the said districts with the proper register of the land office, according to former laws, but have not exhibited any

Persons who have filed notice of claims, &c. but have not exhibited testimony, &c. allowed until 1st Jan.

1813.

1814, to deliver  
written evi-  
dence, &c.

Written evi-  
dence, &c. to be  
recorded, &c.

The right of per-  
sons neglecting to  
deliver evi-  
dence, &c. to be  
come barred,  
&c.

The register and  
receiver at New  
Orleans and Ope-  
lousas to have  
the same pow-  
ers, &c. in rela-  
tion to the  
claims filed, &c.  
as the board of  
commissioners  
would have had,  
&c. if notice had  
been filed, &c.  
before the 1st  
July, 1808; ex-  
cept, &c.

The register  
and receiver to  
make a report of  
claims filed, to  
the commission-  
er of the general  
land office, &c.

The report, &c.  
to be laid before  
congress, &c.

The register and  
receiver empow-  
ered to appoint  
a clerk, &c.

Registers, re-  
ceivers, and  
clerks, each al-

testimony or written evidence in support of the same, and whose claim has not been confirmed by the commissioners appointed to ascertain and settle claims to lands in the said districts, shall be allowed until the first day of January next, to deliver the written evidence, or other testimony, in support of his or their claim, the notice of which had been filed as aforesaid, to the register of the land office at New Orleans, for lands lying in the eastern district, and the register of the land office at Opelousas, for lands lying in the western district; and every written evidence of claim, the notice whereof had been filed as aforesaid, for lands lying in the said districts, delivered, within the time limited by this section, to the said registers, shall, by them, respectively, be recorded in the same manner as was directed, and on receiving the same fees allowed, by former acts for recording evidence of claim to lands in the same districts; and the right of any such persons neglecting to deliver the evidence of their claims as abovementioned, shall become barred and void, in so far as the same is derived from the United States, and the evidence thereof be incapable of being admitted in any court whatsoever against any grant derived from the United States.

SECT. 3. *And be it further enacted,* That the register and receiver of public moneys of the said respective land offices at New Orleans and Opelousas, shall have the same powers and perform the same duties, in every respect, in relation to the claims that may be filed according to the first section of this act, and the claims, notice of which had been given under former acts, and the evidence in support thereof shall have been delivered, according to the second section of this act, as the board of commissioners, for ascertaining and adjusting claims to lands in the same districts, would have had or should have performed, if such notice had been filed, and such evidence delivered, before the first day of July, one thousand eight hundred and eight; except that their decisions shall be subject to the revision of congress.

SECT. 4. *And be it further enacted,* That it shall be the duty of the register and receiver of each of the said land offices, respectively, to make, to the commissioner of the general land office, a report of all the claims filed with the register as aforesaid, with the substance of the evidence in support thereof, and of the claims formerly filed, in support of which evidence shall have been received, with the substance of such evidence, and also their opinion, and such remarks respecting the claims as they may think proper to make; which report, together with a list of the claims, which, in the opinion of the register and receiver, ought to be confirmed, shall be laid by the commissioner of the general land office before congress, at their next session, for their determination thereon.

SECT. 5. *And be it further enacted,* That the register and receiver for each of the aforesaid land offices shall have power to appoint a clerk, whose duties shall be the same, in relation to the aforesaid claims, as were required of the clerk to the board of commissioners for the same districts; and the said registers, receivers, and clerks, shall each be allowed fifty cents for each claim on which

a decision shall be made, in their respective districts, whether such decision be in favor or against the claims; which allowance of fifty cents shall be in full compensation for their services under this act. And a further sum of fifty cents shall be allowed on each claim decided as aforesaid, to defray the expense of making translations from the French and Spanish languages.

[Approved, February 27, 1813.]

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 allowed 50 cents for every decision, in full, &c.  
 50 cents allowed on each claim, to defray the expense of translations, &c.

CHAP. 504. [CLXXXI.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 505. [CLXXXII.] An act to continue in force, for a limited time, the first section of the act, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers."

[\* Obsolete. See orig. act, of 28th March, 1804; ch. 399, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* so much of the act passed on the twenty-fifth day of March, one thousand eight hundred and four, entitled "An act further to protect the commerce and seamen of the United States against the Barbary powers,"† as is contained in the first section of the said act, and which was continued in force, for the time therein mentioned, by an act, entitled "An act to continue in force for a further time the first section of the act, entitled 'An act further to protect the commerce and seamen of the United States against the Barbary powers,'"‡ passed on the thirty-first day of January, one thousand eight hundred and twelve, be, and the same is hereby, continued in force until the first day of April, one thousand eight hundred and fourteen, and thence to the end of the next ensuing session of congress: *Provided, however, That* the additional duty laid by said section shall be collected on all such goods, wares, and merchandise, liable to pay the same, as shall have been imported previous to the end of that session of congress.

The first section of the act further to protect the commerce and seamen of the United States against the Barbary powers, continued in force until the 3d March, 1815. †Chap. 399, vol. 3.]

[‡ Ante, ch. 341.]

Provide: the additional duty laid by the section continued, to be collected on all goods, &c. imported previous, &c.

[Approved, February 27, 1813.]

CHAP. 506. [CLXXXIII.] An act authorizing the discharge of Daniel Updike from his imprisonment. §

[§ Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* Daniel Updike, of North Kingstown, in the county of Washington, and state of Rhode Island, now confined in prison in said county, on a judgment obtained against him in favor of the United States, be discharged from his imprisonment: *Provided, however, That* he shall first assign and convey all the estate, real or personal, which he may now own or be entitled to, to some person or persons, for the use and benefit of the United States, under the direction of the secretary of the treasury, for the purpose of satisfying said judgment: *And provided also, That* any estate, real or personal, which the said Daniel Updike may hereafter acquire, shall

Daniel Updike, confined in prison, &c. on a judgment in favor of the United States to be discharged, &c.

Provide: he must first assign all his estate for the benefit of the United States, &c.

Provide: future estate liable, &c.



1813. be liable to be taken in satisfaction of said judgment, in the same manner as if he had not been imprisoned and discharged.  
[Approved, March 3, 1813.]

CHAP. 507. [CLXXXIV.] An act for the regulation of seamen on board the public and private vessels of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That from and after the termination of the war in which the United States are now engaged with Great Britain, it shall not be lawful to employ on board any of the public or private vessels of the United States any person or persons except citizens of the United States, or persons of color, natives of the United States.

After the war with Great Britain, none but citizens, &c. to be employed on board the public or private vessels of the United States.

When this act has taken effect, it will be unlawful to employ any naturalized citizen, unless, &c.

SECT. 2. *And be it further enacted,* That from and after the time when this act shall take effect, it shall not be lawful to employ as aforesaid any naturalized citizen of the United States, unless such citizen shall produce to the commander of the public vessel, if to be employed on board such vessel, or to a collector of the customs, a certified copy of the act by which he shall have been naturalized, setting forth such naturalization, and the time thereof.

In cases of private vessels sailing to a foreign port, the list of the crew to be examined by the collector, &c.

No person to be employed, unless his name has been entered in the list of the crew, approved and certified, &c.

The collector, before he delivers the list of the crew, &c. is to cause it to be recorded, &c.

The record to be open for inspection, and a certified copy to be evidence, &c.

SECT. 3. *And be it further enacted,* That in all cases of private vessels of the United States sailing from a port in the United States to a foreign port, the list of the crew, made as heretofore directed by law, shall be examined by the collector for the district from which the vessel shall clear out, and, if approved of by him, shall be certified accordingly. And no person shall be admitted or employed as aforesaid, on board of any vessel aforesaid, unless his name shall have been entered in the list of the crew, approved and certified by the collector for the district from which the vessel shall clear out as aforesaid. And the said collector, before he delivers the list of the crew, approved and certified as aforesaid, to the captain, master, or proper officer, of the vessel to which the same belongs, shall cause the same to be recorded in a book, by him for that purpose to be provided; and the said record shall be open for the inspection of all persons, and a certified copy thereof shall be admitted in evidence, in any court in which any question may arise, under any of the provisions of this act.

The president authorized to make further regulations, &c. respecting the proofs of citizenship, &c. provided they are not repugnant to this act.

SECT. 4. *And be it further enacted,* That the president of the United States be, and he hereby is, authorized, from time to time, to make such further regulations, and to give such directions to the several commanders of public vessels, and to the several collectors, as may be proper and necessary, respecting the proofs of citizenship, to be exhibited to the commanders or collectors aforesaid: *Provided,* That nothing contained in such regulations or directions shall be repugnant to any of the provisions of this act.

Seamen not citizens excluded from taking

SECT. 5. *And be it further enacted,* That, from and after the time when this act shall take effect, no seaman or other seafaring

man, not being a citizen of the United States, shall be admitted or received as a passenger on board of any public or private vessel of the United States, in a foreign port, without permission, in writing, from the proper officers of the country of which such seaman or seafaring man may be subject or citizen.

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passenger in public or private vessel in foreign ports, without written permission, &c.

SECT. 6. *And be it further enacted*, That, from and after the time when this act shall take effect, the consuls or commercial agents of any nation at peace with the United States shall be admitted, (under such regulations as may be prescribed by the president of the United States,) to state their objections to the proper commander or collector as aforesaid, against the employment of any seaman or seafaring man on board of any public or private vessel of the United States, on account of his being a native subject or citizen of such nation, and not embraced within the description of persons who may be lawfully employed, according to the provisions of this act; and the said consuls or commercial agents shall also be admitted, under the said regulations, to be present at the time when the proofs of citizenship, of the persons against whom such objections may have been made, shall be investigated by such commander or collector.

The consuls, &c. of nations at peace, &c. may state their objections to the commander or collector against the employment of any seaman, &c.

Consuls, &c. may be present when proofs of citizenship are investigated, &c.

SECT. 7. *And be it further enacted*, That if any commander of a public vessel of the United States shall knowingly employ, or permit to be employed, or shall admit or receive, or permit to be admitted or received, on board his vessel, any person whose employment or admission is prohibited by the provisions of this act, he shall, on conviction thereof, forfeit and pay the sum of one thousand dollars for each person thus unlawfully employed or admitted on board such vessel.

Commanders of public vessels who knowingly employ, &c. prohibited persons, to forfeit 1,000 dolls. &c.

SECT. 8. *And be it further enacted*, That if any person shall, contrary to the prohibitions of this act, be employed or be received on board of any private vessel, the master or commander, and the owner or owners of such vessel, knowing thereof, shall, respectively, forfeit and pay five hundred dollars for each person thus unlawfully employed or received, in any one voyage; which sum or sums shall be recovered, although such seaman or person shall have been admitted and entered in the certified list of the crew aforesaid by the collector for the district to which the vessel may belong; and all penalties and forfeitures arising under, or incurred by virtue of, this act, may be sued for, prosecuted, and recovered, with costs of suit, by action of debt, and shall accrue and be, one moiety thereof to the use of the person who shall sue for the same, and the other moiety thereof to the use of the United States.

The masters and owners of private vessels to forfeit 500 dolls for employing, &c. prohibited persons, &c.

Penalties, &c. may be recovered by action of debt, &c.

A moiety to the person who sues, &c.

SECT. 9. *And be it further enacted*, That nothing in this act contained shall be construed to prohibit any commander or master of a public or private vessel of the United States, whilst in a foreign port or place, from receiving any American seaman in conformity to law, or supplying any deficiency of seamen on board such vessel, by employing American seamen, or subjects of such foreign country, the employment of whom shall not be prohibited by the laws thereof.

Commanders of public or private vessels may receive and employ American seamen in foreign ports, or the subjects of a foreign country not prohibited, &c.

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The provisions of this act not to operate with respect to nations whose governments have not prohibited the employment of native citizens, &c.

Nothing in this act to prevent any arrangement by treaty, &c.

Continued residence of 5 years in the United States necessary to qualify a person to become a citizen, &c.

Imprisonment, hard labor, or fine, for forging or counterfeiting certificates of citizenship, &c.

No suit for any forfeiture under this act, unless commenced within 3 years, &c.

SECT. 10. *And be it further enacted*, That the provisions of this act shall have no effect or operation with respect to the employment, as seamen, of the subjects or citizens of any foreign nation which shall not, by treaty or special convention with the government of the United States, have prohibited, on board of her public and private vessels, the employment of native citizens of the United States, who have not become a citizen or subject of such nation.

SECT. 11. *And be it further enacted*, That nothing in this act contained shall be so construed as to prevent any arrangement between the United States and any foreign nation, which may take place under any treaty or convention, made and ratified in the manner prescribed by the constitution of the United States.

SECT. 12. *And be it further enacted*, That no person who shall arrive in the United States, from and after the time when this act shall take effect, shall be admitted to become a citizen of the United States, who shall not, for the continued term of five years, next preceding his admission as aforesaid, have resided within the United States, without being, at any time during the said five years, out of the territory of the United States.

SECT. 13. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause, or procure to be falsely made, forged, or counterfeited, any certificate or evidence of citizenship referred to in this act; or shall pass, utter, or use as true, any false, forged, or counterfeited certificate of citizenship, or shall make sale or dispose of any certificate of citizenship to any person other than the person for whom it was originally issued, and to whom it may of right belong, every such person shall be deemed and adjudged guilty of felony; and, on being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labor for a period not less than three, or more than five, years, or be fined in a sum not less than five hundred dollars, nor more than one thousand dollars, at the discretion of the court taking cognizance thereof.

SECT. 14. *And be it further enacted*, That no suit shall be brought for any forfeiture or penalty incurred under the provisions of this act, unless the suit be commenced within three years from the time of the forfeiture. [Approved, March 8, 1813.]

[? See act of 19th Feb. 1814; chap. 608, post.]

CHAP. 508. [CLXXXV.] An act giving further time to purchasers of public lands to complete their payments.\*

Persons who, prior to the 1st April, 1809, had purchased any tracts of land, not exceeding 640 acres, unless, &c. and whose lands have not been sold or reverted to, &c. allowed the full

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That every person who, prior to the first day of April, one thousand eight hundred and nine, had purchased any tract or tracts of land of the United States, not exceeding in the whole six hundred and forty acres, unless the tract purchased be a fractional section or sections, or fractional sections classed with an entire section, at any of the land offices established for the disposal of the public lands, and whose lands have not already been actually sold, or

reverted to the United States, for nonpayment of part of the purchase money, shall be allowed the further term of three years, from and after the expiration of the period already given by law,\* for completing the payment of the said purchase money, which further term of three years shall be allowed only on condition, **First.** That all arrears of interest on the purchase money shall have been paid on or before the time shall have expired, according to former laws, for completing the payment of the purchase money: *Provided*, That in all cases in which the time for completing the payment of the purchase money may have expired, or shall expire, before the first day of June next, the interest may be paid on or before that day: **Second**, That the residue of the sum, due on account of the principal of such purchase, shall be paid, with interest thereon, in three equal annual payments, to wit: One-third of the said residue, with interest which may then be due thereon, within one year; another third of said residue, with interest, within two years; and the remaining third of said residue, with interest, within three years after the expiration of the time for completing the payment on account of such purchase, according to former laws; and in case of failure, in paying either the arrears or interest, or any of three instalments of principal, with the accruing interest, at the time and times abovementioned, the tract of land shall be forthwith advertised and offered for sale, in the manner, and on the terms, directed by law in case of lands not paid for within the limited term; and shall révert in like manner, if the sum due, with interest, be not at such sale bidden and paid: *Provided*, That the benefit of this act shall not extend to any person or persons, on account of any purchase of any tract or tracts of land, made at any of the land offices northwest of the river Ohio prior to the first day of April, one thousand eight hundred and eight. [*Approved, March 3, 1813.*]

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ther term of 3 years, &c., to complete the payments, &c. \* See ante, chap. 387.]

1st condition on which the further term is allowed.

Proviso; as to payment of interest on or before the 1st June, 1813.

2d condition on which the further term is allowed.

In case of failure in paying, &c. the land to be advertised and sold; and to révert, &c.

Proviso; the benefit of this act not to extend to persons on account of purchases made at land offices northwest of the Ohio prior to 1st April, 1808.

**CHAP. 509. [CLXXXVI.]** An act allowing further time for delivering the evidence in support of claims to land in the territory of Missouri, and for regulating the donation grants therein.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That every person or persons who had filed a notice of claim to any tract of land lying within the district of Louisiana (now territory of Missouri) with the recorder of land titles, according to law, and have not exhibited any testimony or written evidence in support of the same, and whose claim has not already been confirmed, shall be allowed until the first of January next, to deliver to the recorder of land titles for said territory the written evidence, or produce other testimony, in support of his or their claim, notice whereof had been filed as aforesaid; and the written evidence delivered to the said recorder within the time limited by this section, in support of claims filed as aforesaid, shall be by him recorded in the same manner, and on receiving the same fees allowed by former acts for recording written evidence of claims to lands in the said district; and the rights of any such

Persons who had filed a notice of claim to any tract of land within the district of Louisiana, (Missouri,) with the recorder, and have not exhibited testimony, &c. and whose claim has not been confirmed, allowed until 1st Jan. 1814, to deliver written evidence, &c. The written evidence delivered within the time limited, &c. to be recorded, &c. The rights of persons neglect-

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ing to deliver evidence, &c. to become void, in so far, &c.

The recorder, &c. to have the same powers, perform the same duties, &c. in relation to the claims, &c. as the board of commissioners would have had, &c. if the evidence had been delivered before the 1st of July, 1808, except, &c.

The recorder to report to the commissioner of the general land office all claims filed, &c. with his opinion, &c.

The report, &c. to be laid before congress, &c.

Persons whose claim to a donation of a tract of land has been confirmed by the board of commissioners, &c. or by the recorder, &c. to be entitled to a grant of 640 acres, notwithstanding, &c.

[\* Ante, ch. 422.]

Provido; the grant not to be for more land than was claimed by the party in his notice, &c.

The principal deputy surveyor of the territory to survey, &c. a tract of 640 acres to each claimant of a donation tract, whose claim has been confirmed, except, &c.

The tracts to consist of unappropriated,

person neglecting to deliver the evidence of their claims within the time abovementioned shall become barred and void, in so far as the same was derived from the United States, and the evidence thereof be incapable of being admitted in any court whatsoever.

SECT. 2. *And be it further enacted*, That the recorder of land titles for the said territory shall have the same powers, and perform the same duties, in every respect, in relation to the claims, whereof notice had been filed as aforesaid, and the written evidence in support thereof shall have been delivered, or other testimony produced within the time limited by this act, as the board of commissioners for ascertaining the rights of persons claiming lands in said district would have had, or should have performed, if the evidence of such claims had been delivered before the first day of July, one thousand eight hundred and eight, except that his decision shall be subject to the revision of congress.

SECT. 3. *And be it further enacted*, That it shall be the duty of the said recorder to make, to the commissioner of the general land office, a report of all the claims which had been filed, and in support of which evidence shall be received as aforesaid, with the substance of such evidence, together with his opinion, and such remarks as he may think proper; which report, together with a list of the claims which, in the opinion of the said recorder, ought to be confirmed, shall be laid before congress, at their next session, for their determination thereon.

SECT. 4. *And be it further enacted*, That every person whose claim to a donation of a tract of land in said district has been confirmed by the board of commissioners, appointed for ascertaining the rights of persons claiming lands in said district, and is embraced in their report transmitted to the secretary of the treasury, or which has been confirmed by the recorder of land titles, under the third section of the act, entitled "An act making further provision for settling the claims to land in the territory of Missouri,"\* approved on the thirteenth of June, one thousand eight hundred and twelve, shall be entitled to a grant for six hundred and forty acres, notwithstanding a less quantity shall have been allowed to him by the decision of the said commissioners, or recorder of land titles: *Provided*, That in no case shall the grant be for more land than was claimed by the party in his notice of claim, nor for more land than is contained within the acknowledged and ascertained boundaries of the tract claimed.

SECT. 5. *And be it further enacted*, That the principal deputy surveyor for the said territory shall survey, or cause to be surveyed, under the direction of the surveyor general, a tract of six hundred and forty acres of land, to each claimant of a donation tract, whose claim has been confirmed as aforesaid, except as provided by the last preceding section, where the quantity claimed by the party was less than six hundred and forty acres, and where the ascertained boundaries of the tract claimed does not include six hundred and forty acres, in which cases the survey shall contain only the land claimed; and the tracts thus to be surveyed shall consist of unappropriated lands, and shall, in every

case, contain the improved lands, by virtue of the settlement on, **1813.** and contain the improved lands, &c.  
 and cultivation of, which the claimant's right to a donation has been confirmed. And in all cases where, by reason of adjacent prior claims, or the contiguity of the improvements of the persons entitled to donation grants, each claimant cannot obtain a tract of six hundred and forty acres, the vacant lands applicable to the object shall be divided between the claimants, in such manner as shall appear to the principal deputy surveyor most equitable. And whenever plats of the surveys shall have been returned by the principal deputy surveyor to the office of the recorder of land titles, it shall be the duty of the recorder to issue, for each tract, according to the survey returned to him, a certificate in favor of the party, to each person entitled thereto, which shall be transmitted to the commissioner of the general land office. And if it shall appear to the satisfaction of the said commissioner that such certificate was fairly obtained, according to the true intent and meaning of this act, then, in that case, patents shall be granted in like manner as is provided by law for other lands of the United States. **When plats of surveys are returned, the recorder to issue certificates, &c.**  
**Patents to be granted, &c.**

**SECT. 6.** *And be it further enacted,* That the said recorder of land titles, in addition to his salary, as fixed by law, shall be allowed fifty cents on each claim which had been filed, and in support of which evidence shall have been received, according to the first section of this act, and on which he shall make a decision, whether such decision be in favor of, or against, the claim; and a further allowance of five hundred dollars, which shall be paid after he shall have made his report to the commissioner of the general land office; which allowance of fifty cents for each claim decided on, and five hundred dollars on the completion of the business, shall be in full compensation for his services, including clerk hire, respecting the claims to be decided on according to this act. [*Approved, March 3, 1813.*]  
**The recorder, in addition to his salary, allowed 50 cents on each claim filed and on which he makes a decision, &c.**  
**A further allowance of 500 dolls.**  
**The 50 cts. and 500 dolls. to be in full, &c.**

**CHAP. 510. [CLXXXVII.]** An act to alter the times of holding the district court in the respective districts of New York and Massachusetts.

**-SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, instead of the first Tuesdays of April and October, the district court for the district of New York, directed by law to be holden at Utica, shall be holden on the second Tuesday of May, and the fourth Tuesday of September, yearly.\*  
**Instead, &c. the district court for New York to be holden at Utica on the 2d Tuesday of May, and 4th Tuesday of Sept.**

**SECT. 2.** *And be it further enacted,* That all actions, suits, process, and proceedings, commenced or to be commenced, or now pending in said district court, and liable to be discontinued, or suffer prejudice from the foregoing alterations, may be returned to, and shall be continued to, the district court, to be holden in pursuance of this act, in such manner as that the same shall suffer no discontinuance or prejudice by virtue of this act.  
**[\* See ch. 637, post.]** Actions, suits, process, &c. may be returned, and to be continued, accordingly.

**SECT. 3.** *And be it further enacted,* That the respective terms of the district court of Massachusetts district, which are now re-  
**The terms of the district court for Massachusetts now required to**

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be holden at Salem, to be holden hereafter at Boston, &c. Writs and processes, &c. returnable accordingly.

quired by law to be holden at Salem, within said district, shall hereafter be holden at Boston, within said district, at the respective times now prescribed by law; and that all writs and processes, of whatsoever nature or kind, that have been or may be issued, and made returnable to the said court at Salem, shall be returnable and returned to the said court at Boston, any thing in any former law to the contrary notwithstanding.

[Approved, March 3, 1813.]

[\* Private and obsolete.]

CHAP. 511. [CLXXXVIII.] An act for the relief of Washington Lee.\*

The proper accounting officer of the department of war directed to allow Washington Lee, in the settlement of his account, &c. the same compensation provided for judge advocates when taken from the line, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officer of the department of war be, and he is hereby, directed to allow to Washington Lee, now a captain in the army of the United States, in the settlement of his account as judge advocate for the southern department of the army, from the nineteenth day of February, one thousand eight hundred and ten, until the sixth day of February, one thousand eight hundred and twelve, the same compensation which is provided for judge advocates, when taken from the line, by an act passed the eleventh day of January, one thousand eight hundred and twelve, entitled

[† Ante, ch. 337.]

“An act to raise an additional military force.”†

[Approved, March 3, 1813.]

[‡ Obsolete.]

CHAP. 512. [CLXXXIX.] An act to encourage the destruction of the armed vessels of war of the enemy.‡

During the war with Great Britain it is declared lawful to burn, sink, &c. any British armed vessel of war, except, &c. and to use torpedoes, &c. for that purpose; and a bounty of one-half the value to be paid therefor out of the treasury, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, during the present war with Great Britain, it shall be lawful for any person or persons, to burn, sink, or destroy, any British armed vessel of war, except vessels coming as cartels or flags of truce; and, for that purpose, to use torpedoes, submarine instruments, or any other destructive machine whatever: and a bounty of one-half the value of the armed vessel so burnt, sunk, or destroyed, and also one-half the value of her guns, cargo, tackle, and apparel, shall be paid, out of the treasury of the United States, to such person or persons who shall effect the same, otherwise than by the armed or commissioned vessels of the United States.

[Approved, March 3, 1813.]

CHAP. 513. [CXC.] An act the better to provide for the supplies of the army of the United States, and for the accountability of persons intrusted with the same.

The 3d sec. of the act to provide for erecting and repairing arsenals, &c. repealed after 31st March, 1813.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the third section of the act, entitled “An act to provide for the erecting and repairing of arsenals and magazines, and for other

proposes,"\* passed on the second day of April, one thousand eight hundred and ninety-four, be, and the same is hereby, repealed, from and after the thirty-first day of March, one thousand eight hundred and thirteen. 1813.

[<sup>19</sup>Chap. 190, vol. 2.]

**SECT. 2.** *And be it further enacted,* That there shall be a superintendent general of military supplies, who shall reside at the seat of government, and receive an annual salary of three thousand dollars; and whose duty it shall be, under the direction of the secretary for the war department, to keep proper accounts of all the military stores and supplies of every description, purchased or distributed for the use of the army of the United States, and of the volunteers and militia in their service; to prescribe the forms of all the returns and accounts of such stores and supplies purchased, on hand, distributed, used, or sold, to be rendered by the commissary of ordnance and officers in his department, by the commissary general of purchases and his deputies, by the several officers in the quartermaster general's department, by the regimental quartermasters, by the hospital surgeons and other officers belonging to the hospital and medical department, and by all other officers, agents, or persons, who shall have received, distributed, or been intrusted with, such stores and supplies, as aforesaid; to call to account all such persons; to audit and settle all such accounts, and, in case of delinquency, to transmit the account, and to state the value of the articles unaccounted for by such delinquency, to the accounting officers of the treasury, for final settlement and recovery of such value; to transmit all such orders, and, generally, to perform all such other duties, respecting the general superintendence of the purchase, transportation, safekeeping, and accountability of military supplies and stores, as aforesaid, as may be prescribed by the secretary for the war department.

A superintendent general of military supplies, &c.  
Salary of 3,000 dollars.  
Duties of the superintendent general, &c.  
[See act of 13th July, 1813; chap. 237, post.]

**SECT. 3.** *And be it further enacted,* That the commissary general of purchases and his deputies, the several officers in the quartermaster's department, the regimental quartermasters, the commissary of ordnance, his assistant and deputies, the principal hospital surgeons and officers belonging to the hospital and medical departments, and all other officers, agents, or persons, who shall have received, or may be intrusted with, any stores or supplies, of any description whatever, for the use of the army of the United States, and of the volunteers or militia in their service, shall render quarterly accounts of the disposition and state of all such stores and supplies to the superintendent aforesaid; and shall also make such other returns respecting the same, and at such other times, as the secretary for the war department may prescribe: *Provided, however,* That the accounts and returns thus rendered shall relate to the articles of supply only, which may have been received and disposed of, or as may remain on hand, and shall not embrace the specie accounts for moneys disbursed by such officers, agents, or other persons; which specie accounts shall be rendered, as heretofore, to the accountant for the war department.

The commissary general of purchases, &c. to render quarterly accounts to the superintendent general of military supplies, &c.

Provido; the accounts, &c. rendered to relate only to the articles of supply received and disposed of, &c. Specie accounts to be rendered as heretofore, &c.



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Officers, agents, &c. who receive money in advance from the war department, to render quarterly accounts to the accountant, &c.

The quarterly accounts of supplies or moneys to be settled within three months by the superintendent general and accountant, &c.

The secretary of the war department directed to define the species, as well as the amount, of supplies to be purchased by the commissary general's and quartermaster general's departments, &c. and prescribe general regulations for the transportation of articles of supply, &c.

The secretary to make reasonable allowances, &c.

The superintendent general of military supplies to be appointed by the president and senate, &c.

The superintendent general, &c. authorized to employ clerks, provided their annual compensation does not exceed 7,000 dollars. 8,000 dollars appropriated for paying clerks, &c.

The president may appoint special commissaries, or authorize officers in the quartermaster general's department, to supply subsistence for the army, when it may be necessary from the want of contractors, &c.

**SECT. 4.** *And be it further enacted,* That the officers, agents, or other persons, who may receive moneys in advance from the war department, shall render quarterly accounts to the accountant of the said department, of their specie receipts and disbursements, and shall, moreover, make such other monthly summary statements thereof to the secretary for the said department, as he may prescribe. And the quarterly accounts of supplies, or of moneys rendered as aforesaid, shall be, respectively, settled by the superintendent general of military supplies, and by the accountant of the war department, according to their respective authorities, within three months after the time when such accounts shall have, respectively, been rendered to them.

**SECT. 5.** *And be it further enacted,* That the secretary for the war department shall be, and he is hereby, authorized and directed to define and prescribe the species, as well as the amount, of supplies to be respectively purchased by the commissary general's and quartermaster general's departments, and the respective duties and powers of the said departments respecting such purchases; and also to adopt and prescribe general regulations for the transportation of the articles of supply from the places of purchase to the several armies, garrisons, posts, and recruiting places, for the safekeeping of such articles, and for the distribution of an adequate and timely supply of the same to the regimental quartermasters, and to such other officers as may, by virtue of such regulations, be intrusted with the same. And the secretary aforesaid is also authorized to fix and make reasonable allowances for the store rent, storage, and salary of storekeepers, necessary for the safekeeping of all military stores and supplies.

**SECT. 6.** *And be it further enacted,* That the superintendent general of military supplies shall be appointed by the president, with the advice and consent of the senate; but the president is hereby authorized to make the appointment during the recess of the senate; which appointment shall be submitted to the senate at their next meeting, for their advice and consent.

**SECT. 7.** *And be it further enacted,* That the superintendent general of military supplies shall be authorized to employ a sufficient number of clerks: *Provided,* That their annual compensation shall not exceed, in the whole, seven thousand dollars; and the sum of eight thousand dollars is hereby appropriated for paying the said compensation, and that of the superintendent aforesaid, during the year one thousand eight hundred and thirteen, to be paid out of any moneys in the treasury, not otherwise appropriated.

**SECT. 8.** *And be it further enacted,* That the president of the United States be, and he is hereby, empowered, as he may deem it expedient, either to appoint, for the time being, a special commissary or commissaries, for the purpose of supplying by purchase or contract, and of issuing, or to authorize any officer or officers in the quartermaster general's department to supply and issue, as aforesaid, the whole or any part of the subsistence of the army, in all cases where, either from the want of contractors, or from any deficiency on their part, or from any other contingency

ay, such measure may be proper and necessary in order to ensure 1813.  
the subsistence of the army, or of any part thereof; and such  
special commissaries shall, each, whilst employed, be entitled to Pay, &c. of special commissaries, &c.  
the pay and emoluments of a deputy quartermaster general.

SECT. 9. *And be it further enacted,* That the president of the The president authorized to appoint not exceeding 6 assistant commissaries, &c. for the purpose of receiving and distributing clothing and other supplies, &c.  
United States be, and he is hereby, authorized to appoint not  
exceeding six assistant commissaries, to be attached to such army, or to reside at such places, respectively, as the secretary for the war department may direct, for the purpose of receiving from the commissary general of purchases, or from his deputies, and of distributing to the regimental quartermasters, and to such officers as may, by the secretary aforesaid, be designated, the clothing and other supplies purchased by the commissary general aforesaid, or his deputies, and destined for the use of the troops belonging to the army, or in the vicinity of the place to which such assistant commissaries may respectively be attached. Pay, &c. of assistant commissaries.  
And said assistant commissaries shall, whilst employed, be entitled to the pay and emoluments of a deputy quartermaster general. [Approved, March 3, 1813.]

CHAP. 514. [CXCI.] An act for the relief of Lewis Chacherie.\*

[\* Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper officers of the treasury department be, and they are hereby, authorized and required to pay to Lewis Chacherie the additional sum of fourteen hundred dollars, in consideration of his services as translator of the French and Spanish languages to the board of commissioners for the western land district of the territory of Orleans, now state of Louisiana, which shall be paid out of any money in the treasury, not otherwise appropriated. [Approved, March 3, 1813.] The proper officers of the treasury department required to pay to Lewis Chacherie 1,400 dollars, additional, for his services as translator of French and Spanish to the board of commissioners for the western land district of Orleans, &c.

CHAP. 515. [CXCII.] An act to authorize the secretary of the treasury to provide new certificates of registry.†

[† See the act of 31st Dec. 1792; sec. 9, chap. 146, vol. 2.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That it shall be the duty of the secretary of the treasury to cause to be provided blank certificates of registry, and such other papers as may be necessary, executed in such manner, and with such marks, as he may direct; and from and after the thirty-first day of December, one thousand eight hundred and fourteen, no certificate of registry shall be issued, except such as shall have been provided and marked as aforesaid; and the ships or vessels of the United States, which shall have been duly registered as such, shall be entitled to new certificates of registry (gratis) in exchange for their old certificates of registry. And it shall be the duty of the respective collectors, on departure of any such ship or vessel, after the said thirty-first day of December, one thousand The secretary of the treasury to cause blank certificates of registry, &c. to be provided, &c. After the 31st Dec. 1814, no certificate to issue, except as provided by this act, &c. Vessels duly registered entitled to new certificates gratis, &c. The collectors to issue new and deface old certificates.

1813. eight hundred and fourteen, from any district to which such ship or vessel shall belong, to issue a new certificate accordingly, and to retain and deface the former certificate.

Not exceeding  
10,000 dollars, ap-  
propriated to  
carry this act in-  
to effect. See  
chap. 777, post.

SECT. 2. *And be it further enacted*, That a sum not exceeding ten thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury, not otherwise appropriated, to carry this act into effect. [Approved, March 3, 1813.]

CHAP. 516. [OXCIII.] An act rewarding the officers and crew of the frigate Constitution, and the officers and crew of the Wasp.\*

[\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized to have distributed, as prize money, to captain Isaac Hull, of the frigate Constitution, his officers, and crew, the sum of fifty thousand dollars, for the capture and destruction of the British frigate Guerriere; and the like sum, in like manner, to captain William Bainbridge, his officers, and crew, for the capture and destruction of the British frigate Java; and the sum of twenty-five thousand dollars, in like manner, to captain Jacob Jones, of the sloop of war Wasp, his officers, and crew, for the capture of the British sloop of war Frolic: and that the sum of one hundred and twenty-five thousand dollars, out of any money in the treasury, not otherwise appropriated, be, and the same is hereby, appropriated for the purposes aforesaid.

[Approved, March 3, 1813.]

CHAP. 517. [CXCIV.] An act for the better organization of the general staff of the army of the United States.†

† See the note  
at the end of ch.  
760, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the adjutant general's, inspector general's, and quartermaster general's, departments, shall consist of the following officers; that is to say: an adjutant and inspector general, with the rank, pay, and emoluments, of a brigadier general, and not exceeding eight adjutants general, sixteen assistant adjutants general, eight topographical engineers, eight assistant topographical engineers, eight inspectors general, sixteen assistant inspectors general, eight quartermasters general, eight deputy quartermasters general, and thirty-two assistant deputy quartermasters general.

SECT. 2. *And be it further enacted*, That the president of the United States be, and is hereby, authorized, if he shall deem it expedient, to assign one of the brigadiers general to the principal army of the United States, who shall, in such case, act as adjutant and inspector general, and as chief of the staff of such army: and the quartermaster general attached to the principal army shall, as heretofore, have the brevet rank, and the pay and emoluments, of a brigadier general.

The adjutant  
general's, inspec-  
tor general's,  
and quartermas-  
ter general's de-  
partments, so  
consist of the  
officers mention-  
ed.

The president  
may assign a  
brigadier gen-  
eral to the prin-  
cipal army of the  
United States;  
in which case he  
is to act as ad-  
jutant and in-  
spector general,  
&c. The quartermas-  
ter general at-  
tached, &c. to  
have the brevet  
rank, &c. of bri-  
gadier.

**SECT. 3.** *And be it further enacted,* That all the other adjutants general shall have the brevet rank, and the pay and emoluments, of a colonel of cavalry; all the other inspectors general and quartermasters general shall have the brevet rank, and the pay and emoluments, of a colonel of infantry; the assistant adjutants general, assistant inspectors general, deputy quartermasters general, and topographical engineers, shall have the brevet rank, and the pay and emoluments, of a major of cavalry; and the assistant topographical engineers, and assistant deputy quartermasters general, shall have the brevet rank, and the pay and emoluments, of a captain of infantry.

**SECT. 4.** *And be it further enacted,* That the assistant adjutants general, the assistant inspectors general, and the assistant topographical engineers, shall be taken from the line. The adjutants general, inspectors general, quartermasters general, deputy quartermasters general, topographical engineers, and assistant deputy quartermasters general, may be taken from the line or not, as the president may deem expedient. And officers taken from the line, and transferred to the staff, shall receive only the pay and emoluments attached to the rank in the staff; but their transfer shall be without prejudice to their rank and promotion in the line according to their said rank and seniority; which promotion shall take place according to usage, in the same manner as if they had not been thus transferred.

**SECT. 5.** *And be it further enacted,* That it shall be the duty of the secretary of the war department, and he is hereby authorized, to prepare general regulations, better defining and prescribing the respective duties and powers of the several officers in the adjutant general, inspector general, quartermaster general, and commissary of ordnance, departments, of the topographical engineers, of the aids of generals, and generally of the general and regimental staff; which regulations, when approved by the president of the United States, shall be respected and obeyed, until altered or revoked by the same authority. And the said general regulations, thus prepared and approved, shall be laid before congress at their next session.

**SECT. 6.** *And be it further enacted,* That the number of assistant deputy commissaries of ordnance shall not exceed sixteen, and that they shall, respectively, be entitled to the brevet rank, and to the pay and emoluments, of a first lieutenant of infantry.

**SECT. 7.** *And be it further enacted,* That, for the better superintendence and management of the hospital and medical establishment of the army of the United States, there shall be a physician and surgeon general, with an annual salary of two thousand five hundred dollars, and an apothecary general, with an annual salary of eighteen hundred dollars; whose respective duties and powers shall be prescribed by the president of the United States.

**SECT. 8.** *And be it further enacted,* That the forage, wagon, and barrack, masters, shall be appointed as heretofore: but each quartermaster general, attached to any separate army, command, or district, shall be authorized, with the approbation, and under the direction, of the secretary of the war department, to appoint

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Rank, pay, &c. of other adjutants general.  
Rank, &c. of inspectors and quartermasters general.  
Rank and pay of assistant adjutants general, assistant inspectors general, &c.

Assistant adjutants general, &c. to be taken from the line.  
Adjutants general, &c. from the line or not, &c.

Officers transferred from the line to the staff, to receive only the pay, &c. attached to the rank in the staff; their transfer to be without prejudice, &c.

The secretary of war authorized to prepare general regulations, prescribing the duties and powers of the officers in the adjutant general, inspector general, &c. departments.

The regulations, when approved, &c. to be respected and obeyed, &c. and to be laid before congress.

Assistant deputy commissaries of ordnance not to exceed 16, &c.

A physician and surgeon general, with an annual salary of 2,500 dolls. and an apothecary general, with an annual salary of 1,800 dolls. &c.

Each quartermaster general, attached to any separate army, under direction, &c. authorized to appoint as many forage masters, &c. as

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the advice requires.  
As assistant pay quartermasters general &c. may be appointed by the president alone; but, &c.

as many such officers, and to employ as many artificers, mechanics, and laborers, as the public service may require.

Provided; during the recess appointments may be made by the president alone, &c.

SECT. 9. *And be it further enacted*, That the assistant deputy quartermasters general may be appointed, and officers taken from the line and transferred to the staff may be thus transferred, by the president of the United States alone. But all other new appointments authorized by this act shall be made by the president of the United States, with the advice and consent of the senate: *Provided*, That, during the recess of the senate, such appointments may be made by the president alone; in which case the same shall be laid before the senate at their next session, for their advice and consent.

Acts, and parts of acts, within the purview of this act, repealed.

SECT. 10. *And be it further enacted*, That every act, and every part of any act, of congress now in force, within the purview and meaning of this act, be, and the same are hereby, repealed.

Letters and packets to and from the adjutant and inspector general, &c. free of postage.

SECT. 11. *And be it further enacted*, That all letters and packets to and from the adjutant and inspector general, adjutants general, inspectors general, quartermasters general, commissary general of ordnance, physician and surgeon general, and apothecary general, which relate to their official duties, shall be free from postage.

The president empowered to appoint any of the officers authorized by the act making provision for an additional number of general officers, in the recess, &c.  
[Ante, ch. 499.]  
[79th.]  
No officer appointed, &c. entitled to any pay till called into actual service, nor, &c.

SECT. 12. *And be it further enacted*, That the president of the United States be, and he is hereby, authorized to appoint any of the officers authorized by an act, entitled "An act making provision for an additional number of general officers,"\* passed the twenty-fifth day of February, one thousand eight hundred and thirteen, during the recess of the senate, to be submitted to the senate at their next session for their advice and consent; and that no officer appointed, or who may be appointed, by virtue of the aforesaid act, shall be entitled to receive any pay or emolument until he shall be called into actual service, nor for any longer time than he shall be continued therein.

[Approved, March 3, 1813.]

CHAP. 518. [CXCV.] An act to revive and continue in force "An act declaring the consent of congress to an act of the state of Georgia, passed the twelfth day of December, one thousand eight hundred and four, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's."†

[§ Obsolete. See the act continued, of 3d March, 1811; ante, chap. 313.]

The act of the 3d March, 1811, declaring the consent of congress to an act of the state of Georgia, &c. revived, and continued until 3d March, 1815.  
[Ante, ch. 313.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the act of congress, passed the second day of March, one thousand eight hundred and eleven, entitled "An act declaring the consent of congress to an act of the state of Georgia, passed the twelfth day of December, one thousand eight hundred and four, establishing the fees of the harbor master and health officer of the ports of Savannah and St. Mary's,"§ be, and the same is hereby, revived, and continued in force for one year, and from thence to the end of the next session of congress, and no longer.

[Approved, March 3, 1813.]

CHAP. 519. [CXCVI.] An act supplementary to the act for increasing the navy.

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SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president be, and he is hereby, authorized to have built six sloops of war, and to have the same manned, equipped, and commissioned, for service; and that the president be authorized to have built, or procured, such a number of sloops of war, or other armed vessels, to be manned, equipped, and commissioned, as the public service may require, on the lakes.\*

Six sloops of war to be built, manned, and equipped, for service, &c.

Armed vessels also to be equipped on the lakes. [Sec. sec. 4, ch. 744, post.]

SECT. 2. *And be it further enacted,* That the president be, and he is hereby, authorized to appoint such officers, and to employ the number of seamen which may be necessary, for such vessels as are authorized by law to be put in commission, any law to the contrary notwithstanding.

The president authorized to appoint officers and employ seamen, &c.

SECT. 3. *And be it further enacted,* That, for the building or procuring said vessels, and for the payment of two hundred thousand dollars for vessels already procured on the lakes, by direction of the president, that the sum of nine hundred thousand dollars, out of any money in the treasury, not otherwise appropriated, be, and the same is hereby, appropriated.

900,000 dolls. appropriated for procuring the vessels, &c.

SECT. 4. *And be it further enacted,* That the sum of one hundred thousand dollars be appropriated for the purpose of establishing a dockyard, for repairing the vessels of war, in such central and convenient place on the seaboard as the president of the United States shall designate.

100,000 dolls. appropriated for establishing a dockyard, &c. in a central and convenient place on the seaboard, &c.

SECT. 5. *And be it further enacted,* That the president be, and he is hereby, authorized to contract for the building any of the six forty-four gun ships authorized by law: *Provided,* That the building be under inspection of an agent appointed by the secretary of the navy.

The president to contract for building any of the six 44 gun ships, &c.

Provido; the building to be under the inspection of an agent, &c.

SECT. 6. *And be it further enacted,* That the president of the United States be authorized to sell or dispose of such and so many of the gunboats belonging to the United States as may have become unfit for service, or as, in his judgment, may no longer be necessary to be retained by the government.

The president authorized to sell so many of the gunboats as have become unfit for service, or, &c.

[Approved, March 3, 1813.]

CHAP. 520. [CXCVII.] An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and thirteen.†

[†, Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for defraying the expenses of the navy, during the year one thousand eight hundred and thirteen, the following sums be, and the same hereby are, respectively, appropriated; that is to say:

Sums appropriated for defraying the expenses of the navy during the year 1813.

For the pay and subsistence of the officers, and pay of the seamen, one million six hundred and sixty-eight thousand dollars; and for pay due to the officers and crews of the public ships and other vessels in commission for the year one thousand eight hundred and twelve, three hundred and sixty-five thousand dollars.

For pay and subsistence of the officers, and pay of the seamen, &c.

<b>1813.</b>	<b>For provisions, seven hundred and seventy-five thousand dol-</b>
<b>For provisions.</b>	<b>lars.</b>
<b>For medicines, &amp;c.</b>	<b>For medicines, instruments, hospital stores, and all expenses on account of the sick, one hundred thousand dollars.</b>
<b>For repairs, &amp;c.</b>	<b>For repair of vessels, six hundred and forty thousand dollars.</b>
<b>For freight, store rent, &amp;c.</b>	<b>For freight, store rent, and all other contingent expenses, two hundred and fifty thousand dollars.</b>
<b>For navy yards, pay of superintendents, &amp;c.</b>	<b>For expenses of navy yards, comprising docks, and other improvements, pay of superintendents, storekeepers, clerks, and laborers, ninety thousand dollars.</b>
<b>For ordnance, &amp;c.</b>	<b>For ordnance, and for ordnance and military stores, one hundred thousand dollars.</b>
<b>For pay and subsistence of the marine corps, &amp;c.</b>	<b>For pay and subsistence of the marine corps, including provisions for those on shore, and forage for the staff, two hundred and forty-five thousand three hundred and ninety-one dollars and seventy cents.</b>
<b>For clothing for the marine corps.</b>	<b>For clothing for the same, seventy-one thousand seven hundred and eighty-eight dollars and ten cents.</b>
<b>For military stores for the marine corps.</b>	<b>For military stores for the same, twenty-seven thousand six hundred and eight dollars and seventy-five cents.</b>
<b>For medicines, &amp;c. for the marine corps.</b>	<b>For medicines, medical services, hospital stores, and all other expenses on account of the sick belonging to the marine corps, twenty thousand dollars.</b>
<b>For quartermaster's and barrackmaster's stores, &amp;c.</b>	<b>For quartermaster's and barrackmaster's stores, officers' travelling expenses, armorer's and carpenter's bills, fuel, premiums for enlisting men, musical instruments, bounty to music, and other contingent expenses of the marine corps, forty-six thousand dollars.</b>
<b>The sums appropriated by this act to be paid out of the treasury, &amp;c.</b>	<b>SECT. 2. <i>And be it further enacted,</i> That the several sums specifically appropriated by this act, shall be paid out of any moneys in the treasury, not otherwise appropriated.</b>

[*Approved, March 3, 1813.*]

CHAP. 521. [CXCVIII.] An act making an appropriation for alterations and repairs in the capitol.\*

[\* Obsolete.]

**SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That a sum, not exceeding five thousand dollars, shall be, and the same is hereby, appropriated, to be applied, under the direction of the president of the United States, in such repairs or alterations in the chamber of the house of representatives as may be necessary for their accommodation in their future sessions, having in view as well the increased number of the members, as the better lighting, ventilating, and warming, the chamber; which sum shall be paid out of any money in the treasury, not otherwise appropriated.**

**SECT. 2. *And be it further enacted,* That five hundred dollars be appropriated to repair the roof of the capitol, to be paid out of any money in the treasury, not otherwise appropriated.**

[*Approved, March 3, 1813.*]

Not exceeding \$5,000 dolls. appropriated, to be applied, &c. in repairs or alterations in the chamber of the house of representatives, &c.

\$500 dolls. appropriated to repair the roof of the capitol, &c.

CHAP. 532. [CXCI.] An act making appropriations for the support of the military establishment and of the volunteer militia in the actual service of the United States, for the year one thousand eight hundred and thirteen.\* 1813. [Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for defraying the expenses of the military establishment of the United States, including the volunteers and militia, in their actual service, for the year one thousand eight hundred and thirteen, for the Indian department, and for the expense of fortifications, arsenals, and armories, the following sums, including the sum of one million of dollars already appropriated by the first section of the act, entitled "An act making certain partial appropriations for the year one thousand eight hundred and thirteen,"† be, and the same are hereby, respectively, appropriated; that is to say:

Sums appropriated for defraying the expenses of the military establishment, &c. for the year 1813, &c.

[† Ante, ch. 476.]

For the pay of the army of the United States, including the pay of the artificers and laborers in the quartermaster general's and ordnance departments, and of the private servants kept by officers, and for the pay of the volunteers and militia in the actual service of the United States, five million one hundred and sixty-eight thousand eight hundred and three dollars.

For the pay of the army, &c.

For forage to officers, one hundred and nine thousand two hundred and twenty-four dollars.

For forage to officers.

For the subsistence of the army, and volunteers and militia, two million nine hundred and seventy-seven thousand five hundred and thirty-one dollars.

For subsistence of the army.

For clothing, two million fifteen thousand eight hundred and eighty-four dollars.

For clothing.

For bounties and premiums, five hundred and fifty-seven thousand seven hundred and forty dollars.

For bounties, &c.

For camp and field equipage, two hundred and seventy thousand dollars.

For camp and field equipage.

For the medical and hospital department, two hundred thousand dollars.

For the medical and hospital department.

For ordnance and ordnance stores, nine hundred and twenty-eight thousand dollars.

For ordnance, &c.

For fortifications, four hundred and ninety-seven thousand dollars.

For fortifications.

For arsenals, magazines, and armories, three hundred and fifty-two thousand two hundred and eight dollars.

For arsenals, magazines, &c.

For the quartermaster general's department, including fuel, straw, barrels, quarters, tools, and all the expenses incident to transportation, two million three hundred thousand dollars.

For the quartermaster general's department, &c.

For contingencies, three hundred and five thousand three hundred and seventeen dollars.

For contingencies.

For purchasing books, maps, and plans, two thousand five hundred dollars.

For purchasing books, &c.

For the salary of the commissary general of purchases, three thousand dollars.

For the commissary general of purchases.

For the salary of the clerks employed in the offices of the adjutant general, of the commissary general, and of the quartermaster general, eight thousand dollars.

For salaries of clerks, &c.



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For books, &amp;c.

For the Indian department.

For the repayment of \$27 dollars balance due the state of Maryland, &amp;c.

The sums appropriated by this act to be paid out of unappropriated moneys in the treasury.

For the purchase of books and apparatus for the military academy, twelve thousand dollars.

For the Indian department, one hundred and sixty-four thousand five hundred dollars.

For the repayment of the sum of five hundred and twenty-seven dollars, being a balance due the state of Maryland, of moneys paid by that state to the United States, as the purchase money of public arms, which have not been fully supplied.

SECT. 2. *And be it further enacted*, That the several sums specifically appropriated by this act, shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, March 3, 1813.]

[\* Obsolete.]

CHAP. 523. [CC.] An act making appropriation for the support of government for the year one thousand eight hundred and thirteen.\*

Sums appropriated for the expenditure of the civil list, &amp;c. for 1813.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for the expenditure of the civil list in the present year, including the contingent expenses of the several departments and offices, for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of lighthouses, beacons, buoys, and public piers; for defraying the expenses of surveying the public lands; and for satisfying certain miscellaneous claims, the following sums be, and the same are hereby, respectively, appropriated; that is to say:

For compensation of members of congress, their officers, &amp;c.

For compensation granted by law to the members of the senate and house of representatives, their officers, and attendants, estimated for a session of four months and a half continuance, one hundred and ninety-six thousand two hundred and fifty-five dollars.

For contingent expenses of congress.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of congress, fifty-two thousand dollars.

For contingent expenses of the library of congress, &amp;c.

For all contingent expenses of the library of congress, and for the librarian's allowance for the year one thousand eight hundred and thirteen, eight hundred dollars.

For the president and vice president.

For compensation to the president and vice president of the United States, thirty thousand dollars.

For the secretary of state, clerks, &amp;c.

For compensation to the secretary of state, clerks, and persons employed in that department, including a deficiency of one thousand one hundred and twenty-five dollars, in last year's appropriation, fifteen thousand two hundred and fifty-eight dollars.

For a clerk on old records, &amp;c.

For compensation to a clerk on old records in the said department, for the year eighteen hundred and thirteen, one thousand one hundred and fifty dollars.

For a messenger to the patent office.

For compensation to a messenger to the patent office, two hundred dollars.

For additional compensation to the clerks in the

For additional compensation to the clerks in the said department, not exceeding fifteen per centum, in addition to the sum

allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"\* one thousand and seventy-two dollars and fifty-four cents. 1813.

For the incidental and contingent expenses of the said department, one thousand five hundred dollars.

department of state, not exceeding 15 per cent.  
[\* Ante, ch. 41.]

For contingent expenses of the department of state.

For printing and distributing the laws of the second session of the twelfth congress, and printing the laws in newspapers, including the sum of six thousand two hundred and eighty-two dollars, to make good a deficiency in the appropriation for this subject in the year one thousand eight hundred and twelve, thirteen thousand six hundred and twenty-two dollars.

For printing and distributing the laws, &c.

For compensation to the secretary of the treasury, clerks, and persons employed in his office, including a deficiency of ten dollars in last year's appropriation, thirteen thousand three hundred and nine dollars and eighty-one cents.

For the secretary of the treasury, clerks, &c.

For expense of translating foreign languages, allowance to the person employed in transmitting passports and sealetters, and for stationery and printing in the office of the secretary of the treasury, one thousand dollars.

For translating foreign languages, &c.

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, including the sum of two thousand eight hundred and eighty-nine dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,† fifteen thousand eight hundred and sixty-six dollars.

For the comptroller of the treasury, clerks, &c.

[† Ante, ch. 41.]

For expense of stationery, printing, and incidental and contingent expenses, of the comptroller's office, eight hundred dollars.

For contingent expenses of the comptroller's office, &c.

For compensation to the auditor of the treasury, clerks, and persons employed in his office, twelve thousand two hundred and twenty-one dollars.

For the auditor of the treasury, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses of the auditor's office, five hundred dollars.

For contingent expenses of the auditor's office.

For compensation to the treasurer, clerks, and persons employed in his office, including the sum of one thousand dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,‡ seven thousand two hundred and twenty-seven dollars and forty-five cents.

For the treasurer, clerks, &c.

[‡ Ante, ch. 41.]

For expenses of stationery, printing, and incidental and contingent expenses of the treasurer's office, one thousand three hundred dollars.

For contingent expenses of the treasurer's office.

For compensation to the commissioner of the general land office, clerks, and persons employed in his office, including the sum of five hundred and eighty-five dollars and twenty-four cents, for extra services of clerks, and for the service of a messenger during the year one thousand eight hundred and twelve, ten thousand nine hundred and ninety-five dollars.

For the commissioner of the general land office, clerks, &c.

For expense of stationery, printing, and incidental and contingent expenses of the commissioner's office, including four hundred and seventy-four dollars and twenty cents, to defray those

For contingent expenses of the office of the commissioner, &c.

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expenses in the year one thousand eight hundred and twelve, seven hundred and twenty-four dollars and twenty cents.

For vellum, and printing land patents, &c.

For the expense of vellum, and printing land patents, including the sum of fifteen hundred and six dollars and twenty-five cents, for defraying the expense incurred for that object in the year one thousand eight hundred and twelve, four thousand three hundred and six dollars and twenty-five cents.

For the register of the treasury, clerks, &c.

For compensation to the register of the treasury, clerks, and persons employed in his office, sixteen thousand and fifty-two dollars and two cents.

Additional to the clerk in the treasury department, not exceeding 15 per cent.

For additional compensation to the clerks in the treasury department, not exceeding fifteen per centum, in addition to the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"\* six thousand six hundred and thirty-four dollars and nine cents.

[\* Ante, ch. 41.]

For the messenger of the register's office, &c.

For compensation to the messenger of the register's office, for stamping and arranging ships' registers, ninety dollars.

For contingent expenses in the register's office, &c.

For expense of stationery, printing, and all other incidental and contingent expenses in the register's office, including books for the public stocks, and for the arrangements of the marine records, two thousand eight hundred dollars.

For fuel, &c. for the treasury department, &c.

For fuel and other contingent and incidental expenses of the treasury department, four thousand dollars.

For books, maps, &c.

For the purchase of books, maps, and charts, for the use of the treasury department, four hundred dollars.

For a superintendent, to secure the buildings and records of the treasury department, during the year one thousand eight hundred and thirteen, including the expense of two watchmen, the repairs of two fire engines, buckets, lanterns, and other incidental and contingent expenses, one thousand one hundred dollars.

For compensation to a superintendent, employed to secure the buildings and records of the treasury department, during the year one thousand eight hundred and thirteen, including the expense of two watchmen, the repairs of two fire engines, buckets, lanterns, and other incidental and contingent expenses, one thousand one hundred dollars.

For stating and printing public accounts, &c.

For defraying the expense of stating and printing the public accounts for the year one thousand eight hundred and thirteen, one thousand two hundred dollars.

For the secretary of the commission of the sinking fund, for the secretary of war, clerks, &c.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

For compensation to the secretary of war, clerks, and persons employed in his office, including the sum of three thousand nine hundred and sixty dollars for clerk hire, in addition to the sum allowed by the act of April twenty-first, one thousand eight hundred and six,† fifteen thousand two hundred and ten dollars.

[† Ante, ch. 41.]

For contingent expenses in the office of the secretary of war.

For expense of fuel, stationery, printing, and other contingent expenses in the office of the secretary of war, two thousand dollars.

For the accountant of the war department, clerks, &c.

For compensation to the accountant of the war department, clerks, and persons employed in his office, including the sum of five thousand dollars for clerk hire, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,‡ fifteen thousand nine hundred and ten dollars.

[‡ Ante, ch. 41.]

Additional to the clerks in the war department, not

For additional compensation to the clerks in the war department, not exceeding fifteen per centum, in addition to the sum

allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"\* two thousand two hundred and twenty-six dollars. 1813.  
exceeding 15  
per cent.  
[\*Ante, ch. 41.]

For contingent expenses in the office of the accountant of the war department, one thousand dollars. For contingent expenses in the accountant's office.

For compensation to the clerks employed in the paymaster's office, nine thousand and ninety dollars. For clerks employed in the paymaster's office.

For compensation to a messenger for the paymaster's office, four hundred and ten dollars. For a messenger to the paymaster's office.

For contingent expenses in the said office, five hundred dollars. For contingent expenses in the same.

To Doyle Sweeny, for compensation for his services as clerk in the office of purveyor of public supplies, in the year one thousand eight hundred and ten, one hundred and twenty-five dollars. To Doyle Sweeny, for services as a clerk in the office of purveyor, &c.

For compensation to the secretary of the navy, clerks, and persons employed in his office, including the sum of one thousand six hundred dollars clerk hire, in addition to the sum allowed by the act of the twenty-first April, one thousand eight hundred and six,† eleven thousand four hundred and ten dollars. For the secretary of the navy, clerks, &c.  
[†Ante, ch. 41.]

For expenses of stationery, fuel, printing, and other contingent expenses in the said office, two thousand dollars. For contingent expenses in the office of the secretary of the navy.

For compensation to the accountant of the navy, clerks, and persons employed in his office, ten thousand four hundred and ten dollars. For the accountant of the navy, clerks, &c.

For contingent expenses in the office of the accountant of the navy, one thousand dollars. For contingent expenses in the accountant's office.

For additional compensation to the clerks in the navy department, not exceeding fifteen per centum, in addition to the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"‡ one thousand nine hundred and thirty-five dollars. Additional for the clerks in the navy department, not exceeding 15 per cent.  
[‡Ante, ch. 41.]

For compensation to the postmaster general, assistant postmasters general, clerks, and persons employed in the postmaster general's office, including the sum of three thousand five hundred and twelve dollars, for compensation to clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,§ nineteen thousand five hundred and sixty-seven dollars. For the postmaster general, assistants, clerks, &c.  
[§Ante, ch. 41.]

For the expense of fuel, house rent for the messenger, candles, stationery, chests, &c. incident to the postmaster general's office, two thousand eight hundred dollars. For fuel, house rent, &c. for the general post office.

For additional compensation to the clerks employed in the postmaster general's office, not exceeding fifteen per centum, in addition to the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"¶ one thousand four hundred and one dollars and seventy-five cents. Additional for clerks in the general post office, not exceeding 15 per cent.  
[¶Ante, ch. 41.]

For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars, For loan officers.

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For clerks to the  
commissioners  
of loans, &c.

For compensation to the clerks of the commissioners of loans, including a sum of two thousand dollars, in addition to the amount heretofore allowed by law, and for allowance to certain loan officers, in lieu of clerk hire, and to defray the authorized expense of the several loan officers, seventeen thousand dollars.

For the surveyor  
general and his  
clerks.

For compensation to the surveyor general, and his clerks, three thousand two hundred dollars.

For the surveyor  
of the lands  
south of Ten-  
nessee, clerks,  
&c.

For compensation to the surveyor of the lands south of Tennessee, clerks employed in his office, and for stationery, and other contingencies, including the sum of one thousand five hundred dollars, for clerk hire, in addition to the sums heretofore appropriated for that object, four thousand seven hundred dollars.

For the officers  
of the mint:  
Director.

For compensation to the officers of the mint, viz:

The director, two thousand dollars.

Treasurer.

The treasurer, one thousand two hundred dollars.

Assayer.

The assayer, one thousand five hundred dollars.

Chief coiner.

The chief coiner, one thousand five hundred dollars.

Melter and re-  
finer.

The melter and refiner, one thousand five hundred dollars.

Engraver.

The engraver, one thousand two hundred dollars.

Clerks.

One clerk, at seven hundred dollars; and

One clerk, at five hundred dollars.

For wages to  
persons employ-  
ed in melting,  
coining, &c.

For wages to the persons employed in melting, coining, carpenter's, millwright's, and smith's work, including the sum of one thousand dollars, allowed to an assistant coiner and die forger, who also oversees the execution of the iron work, and of six hundred dollars, allowed to an assistant engraver, eight thousand five hundred dollars.

For contingencies  
of the mint.

For repairs of furnaces, cost of rollers and screws, timber, bar iron, lead, steel, potash, and for all other contingencies of the mint, five thousand three hundred and four dollars and sixty-two cents.

For wastage.

For an allowance for wastage in the gold and silver coinage, three thousand dollars.

For the govern-  
or, &c. of the  
Mississippi ter-  
ritory.

For compensation to the governor, judges, and secretary, of the Mississippi territory, nine thousand dollars.

For contingent  
territorial ex-  
penses.

For expense of stationery, office rent, and other contingent expenses, of said territory, three hundred and fifty dollars.

For the govern-  
or, judges, &c.  
of the Indiana  
territory.

For compensation to the governor, judges, and secretary, of the Indiana territory, six thousand six hundred dollars.

For contingent  
territorial ex-  
penses.

For expense of stationery, office rent, and other contingent expenses, of said territory, three hundred and fifty dollars.

For the govern-  
or, judges, &c.  
of the Michigan  
territory.

For compensation to the governor, judges, and secretary, of the Michigan territory, six thousand six hundred dollars.

For contingent  
territorial ex-  
penses.

For expense of stationery, office rent, and other contingent expenses, of said territory, three hundred and fifty dollars.

For the govern-  
or, judges, &c.  
of the Missouri  
territory.

For compensation to the governor, judges, and secretary, of the Missouri territory, six thousand six hundred dollars.

For contingent  
territorial ex-  
penses.

For expense of stationery, office rent, and other contingent expenses, of said territory, three hundred and fifty dollars.

For the govern-  
or, judges, &c.  
of the Illinois  
territory.

For compensation to the governor, judges, and secretary, of the Illinois territory, six thousand six hundred dollars.

**For expense of stationery, office rent, and other contingent expenses, of said territory, three hundred and fifty dollars.** 1813,

**For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted, in due course of settlement, at the treasury, two thousand dollars.**

**For compensation granted by law to the chief justice, the associate judges, and district judges, of the United States, including the chief justice and two associate judges of the district of Columbia, and to the attorney general, including the sum of nine hundred and fifty-three dollars and eighty-four cents, for the salary of the additional district judge of the state of New York, for the year eighteen hundred and twelve, and a further sum of one thousand four hundred and fifty dollars, to make good a deficiency in the appropriation for the year eighteen hundred and twelve, for the compensation of the attorney general, and of the district judge of Louisiana, sixty-five thousand four hundred and three dollars and eighty-four cents.**

**For the like compensation granted to the several district attorneys of the United States, three thousand four hundred dollars.**

**For compensation granted to the several marshals for the districts of Maine, New Hampshire, Vermont, New Jersey, North Carolina, Kentucky, Ohio, East and West Tennessee, and Louisiana, two thousand two hundred dollars.**

**For defraying the expenses of the supreme, circuit, and district, courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, forfeitures, and penalties, and for defraying the expenses of the prosecutions for offences against the United States, and for the safekeeping of prisoners, forty thousand dollars.**

**For the payment of sundry pensions, granted by the late and present government, eight hundred and sixty dollars.**

**For the payment of the annual allowance to the invalid pensioners of the United States, from the fifth of March, one thousand eight hundred and thirteen, to the fourth of March, one thousand eight hundred and fourteen, ninety-eight thousand dollars.**

**For expenses incident to the receiving the subscriptions to the loan of eleven millions of dollars, authorized by the act of the fourth\* of March, one thousand eight hundred and twelve,\* two thousand dollars, in addition to the sum already for that purpose appropriated.**

**For the maintenance and support of lighthouses, beacons, buoys, and public piers, stakeages of channels, bars, and shoals, and certain contingent expenses, including twenty-four thousand dollars for completing the fitting up of all the lighthouses with Winslow Lewis's improvements, ninety-nine thousand three hundred and forty-nine dollars and fifteen cents.**

**For erecting lighthouses at the mouth of the Mississippi river, and at or near the pitch of Cape Lookout, in North Carolina; being the balance of a former appropriation carried to the surplus fund; thirty-four thousand nine hundred and ninety-five dollars and fifty cents.**

For contingent territorial expenses.  
For demands not otherwise provided for, &c. admitted at the treasury.

For the compensation of judges of the attorney general, &c.

For district attorneys.

For compensation of the marshals of Maine, New Hampshire, &c.

For defraying the expenses of courts, jurors, and witnesses, in aid of the funds arising from fines, &c.

For the payment of sundry pensions, &c.

For the annual allowance to invalid pensioners, &c.

For expenses incident to the loan of 11,000,000, &c. [\* It should be 14th. See ante, ch. 304.]

For the maintenance and support of lighthouses, beacons, buoys, &c.

For erecting lighthouses at the mouth of the Mississippi, &c.

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For building a  
lighthouse at  
Nawshawn  
island, &c.

For building a lighthouse at Nawshawn island, near Tarpaulin Cove, in Massachusetts, being the amount of a former appropriation carried to the surplus fund, two thousand four hundred and seventy-five dollars.

For erecting a  
beacon, and plac-  
ing buoys, near  
the entrance of  
Savannah river,  
&c.

For erecting a beacon, and placing buoys, near the entrance of Savannah river, being an expense incurred under the act of the sixteenth of July, one thousand seven hundred and ninety-eight, carried to the surplus fund, two thousand four hundred and ninety-four dollars and eighty-nine cents.

For erecting two  
lights on lake  
Erie, &c.

For erecting two lights on lake Erie, viz: on or near Bird Island, and on or near Presqu'isle, being the balance of a former appropriation carried to the surplus fund, one thousand five hundred and ninety dollars.

For placing  
buoy, and bea-  
cons near the  
entrance of Be-  
verly harbor,  
&c.

For placing buoys and beacons at or near the entrance of the harbor of Beverly, in Massachusetts, being the balance of a former appropriation carried into the surplus fund, three hundred and forty-one dollars and ninety-five cents.

For rebuilding  
Baldhead light-  
house.

For rebuilding the Baldhead lighthouse, in North Carolina, fifteen thousand dollars.

For placing a  
buoy at the en-  
trance of Barn-  
stable harbor.  
For the support  
of sick and dis-  
abled seamen.

For placing a buoy at the entrance of Barnstable harbor, one hundred dollars.

For surveying  
the public land,  
&c.

For the support of sick and disabled seamen, in addition to the funds already appropriated by law, twenty thousand dollars.

For defraying the expense of surveying the public land within the several territories of the United States, sixty-one thousand two hundred and sixty dollars.

For the payment  
of a claim for  
taking the sec-  
ond census, &c.

For the payment of a claim for taking the second census or enumeration of the inhabitants of the United States, the sum appropriated for that object having been heretofore carried to the surplus fund, two hundred and seventy-seven dollars and twelve cents.

For the support,  
&c. of prisoners  
of war.

For the support and safekeeping of prisoners of war, one hundred and fifty thousand dollars.

For bringing the  
votes of president  
and vice  
president to the  
seat of govern-  
ment.

For bringing the votes for president and vice president of the United States to the seat of government, one thousand nine hundred and eleven dollars and fifty cents.

For paying boun-  
ties to owners of  
private armed  
vessels, &c.

For paying the bounties which may become payable to the owners of private armed vessels, in conformity with the ninth section of the act of the twenty-sixth of June, one thousand eight hundred and twelve,\* ten thousand dollars.

For making the  
road from Cum-  
berland to Ohio,  
&c.

For making the road from Cumberland, in the state of Maryland, to the state of Ohio, to be repaid out of the five per cent. fund reserved for that purpose,† one hundred and forty thousand dollars.

[\* See sec. 7, ch.  
300, vol. 3.]

For pensions to  
the widows or  
children of offi-  
cers and soldi-  
ers killed in the  
campaign on the  
Wabash, &c.

For pensions to the widows or children of officers and soldiers killed, in the campaign of one thousand eight hundred and eleven, on the Wabash, from the seventh of November, one thousand eight hundred and eleven, to the thirty-first of December, one thousand eight hundred and thirteen, five thousand five hundred and seventeen dollars and twenty-seven cents.

For expenses of  
foreign inter-  
course.

For expenses of intercourse with foreign nations, thirty-five thousand four hundred dollars.

**For the contingent expenses of intercourse with foreign nations, fifty thousand dollars. 1813.**

For contingent expenses of foreign intercourse, &c.

**For expenses of intercourse with the Barbary powers, fifty thousand dollars.**

**For the relief and protection of distressed American seamen, fifteen thousand dollars.**

For the relief of American seamen.

**For expenses of prosecuting claims and appeals in the courts of France and Denmark, in relation to captures of American vessels, and defending causes elsewhere, four thousand dollars.**

For prosecuting claims and appeals in the courts of France and Denmark, &c.

**For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, four thousand dollars.**

For miscellaneous claims not otherwise provided for, admitted, &c.

**SECT. 2.** *And be it further enacted,* That the several appropriations hereinbefore made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by an act making provision for the debt of the United States,\* and out of any moneys in the treasury, not otherwise appropriated.

The preceding appropriations to be paid out of the fund reserved, &c.

(\*Ch. 51, vol. 2)

[*Approved, March 3, 1813.*]

**CHAP. 524. [CCI.]** An act for the relief of Susannah Wiley.†

[† Private and obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officers of the treasury department be, and they are hereby, authorized to pay, unto Susannah Wiley, of Georgetown, in the district of Columbia, out of any money in the treasury, not otherwise appropriated, the sum of five hundred dollars, in addition to the sum heretofore allowed by law, as a full compensation for the services of her late husband, David Wiley, who was employed by the postmaster general to make a survey of the main post road leading from St. Mary's, in the state of Georgia, to the city of Washington.

The proper accounting officers of the treasury department, at authorized to pay to Susannah Wiley 500 dollars, additional, as a full compensation for the services of her late husband David Wiley, who was employed, &c., to make a survey of the main post road.

[*Approved, March 3, 1813.*]

**CHAP. 525. [CCII.]** An act altering the time for holding the district court in the district of Maine.‡

[‡ See act of 38th Nov. 1811; ante, chap. 325.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the session of the district court for the district of Maine, by law appointed to be holden at Wiscasset on the first Tuesday in March, shall, from and after the first day of April next, be holden at Wiscasset on the last Tuesday of February, annually, any law to the contrary notwithstanding. [*Approved, March 3, 1813.*]

The session of the district court for Maine appointed to be held, &c. on the first Tuesday in March, to be held, after the 1st April, 1813, on the last Tuesday of February, &c.



1813. CHAP. 526. [CCIII.] An act vesting in the president of the United States the power of retaliation.\*  
 [\*Obsolete.]

In cases where, in, during the war, &c. any violations of the laws and usages of war, &c. are perpetrated by those acting under British authority, on any citizens, or persons in the land or naval service of the United States, the president authorized to cause retaliation to be made, &c.

In cases where any outrage or act of cruelty, &c. may be practised by any Indians in alliance with the British government, &c. on citizens, or those under the protection, of the United States, the president authorized to cause retaliation on British subjects, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That in all and every case wherein, during the present war between the United States of America and the United Kingdom of Great Britain and Ireland, any violations of the laws and usages of war, among civilized nations, shall be, or have been, done and perpetrated by those acting under authority of the British government, on any of the citizens of the United States, or persons in the land or naval service of the United States, the president of the United States is hereby authorized to cause full and ample retaliation to be made, according to the laws and usages of war among civilized nations, for all and every such violation as aforesaid.

SECT. 2. *And be it further enacted,* That in all cases where any outrage or act of cruelty or barbarity shall be, or has been, practised by any Indian or Indians, in alliance with the British government, or in connexion with those acting under the authority of the said government, on citizens of the United States, or those under its protection, the president of the United States is hereby authorized to cause full and ample retaliation to be done and executed on such British subjects, soldiers, seamen, or marines, or Indians in alliance or connexion with Great Britain, being prisoners of war, as if the same outrage or act of cruelty or barbarity had been done under the authority of the British government. [Approved, March 3, 1813.]

[† Private. See act of 10th June, 1813: chap. 531, post.]

CHAP. 527. [CCIV.] An act for the relief of Nathaniel G. Ingraham, Alexander Phoenix, and William Nexsen, junior.†

N. G. Ingraham, A. Phoenix, and William Nexsen, jun. confined in the city of New York on judgments in favor of the United States, to be discharged, &c. *Provided,* the parties to convey all their estate, &c. in satisfaction of any judgment, &c.

Nothing in this act to impair the right of the United States to any estate which the parties may have assigned, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That Nathaniel G. Ingraham, Alexander Phoenix, William Nexsen, junior, of the city and state of New York, confined in the debtor's prison of the city and county of New York, on certain judgments in favor of the United States against them, be discharged from their imprisonment, on payment by them, respectively, of the costs of suit: *Provided, however,* That they, and each of them, shall first assign and convey all the estate, real and personal, which they, or either of them, own, or whereto they may be entitled, to some person or persons, under the direction of the secretary of the treasury, to be by him designated for that purpose, to be holden for the satisfying of any judgment or judgments obtained against them, or either of them, by the United States, or any debt or debts due from them, or either of them, to the United States; and nothing in this act shall be construed to impair the right of the United States to any estate which said Ingraham, Phoenix, and Nexsen, or either of them, may have assigned or conveyed to any person or persons whatever, or to prevent the recovery of such estate for satisfying said judgment

and debts: *And provided also*, That all such estate, real or personal, that said Ingraham, Phenix, and Nexsen, or either of them, now have, or hereafter may acquire, shall be liable for the satisfaction of said judgments and debts, in the same manner as if they had not been imprisoned and discharged; and nothing in his act shall operate to discharge from said judgments, or debts, any person or persons, except said Ingraham, Phenix, and Nexsen, who may be liable therefor, in whole or in part, in any manner or form whatever. [Approved, March 8, 1813.]

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Proviso: Future estate of the parties liable, &c.

No person except Ingraham, Phenix, and Nexsen, discharged.

CHAP. 528. [CCV] An act for the relief of the representatives of Samuel Lapsley, deceased.\*

(\*Private and obsolete.)

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the accounting officers of the treasury be, and they are hereby, authorized and directed to settle the account of John Lysle and Margaret his wife, late Margaret Lapsley, widow and administratrix of Samuel Lapsley, deceased, and that she be allowed the amount of two final settlement certificates, No. 78,446, for one thousand dollars, and No. 78,447, for one thousand three hundred and sixty dollars, and interest from the twenty-second day of March, one thousand seven hundred and eighty-three, issued in the name of Samuel Lapsley, by the commissioner of army accounts for the United States, on the first day of July, one thousand seven hundred and eighty-four, and that the amount due be paid out of any money in the treasury, not otherwise appropriated, to the said John Lysle and Margaret his wife, administratrix as aforesaid, to be disposed of and distributed according to law. [Approved, March 3, 1813.]

The accounting officers of the treasury directed to settle the account of John Lysle and Margaret his wife, &c. and allow her the amount of two final settlement certificates, &c. with interest, &c.

## RESOLUTIONS.

[No. 1.] Resolution relative to the brilliant achievements of captains Hull, Decatur, Jones, and lieutenant Elliot.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, requested to present to captain Hull, of the frigate Constitution, captain Decatur, of the frigate United States, and captain Jones, of the sloop of war Wasp, each, a gold medal, with suitable emblems and devices; and a silver medal, with like emblems and devices, to each commissioned officer of the aforesaid vessels, in testimony of the high sense entertained by congress of the gallantry, good conduct, and services of the captains, officers, and crews, of the aforesaid vessels, in their respective conflicts with the British frigates the Guerriere and the Macedonian, and sloop of war Frolic: and the president is also requested to present a silver medal, with like emblems and devices, to the nearest male relative of lieutenant Bush, and one to the nearest male relative of

The president requested to present to captains Hull, Decatur, and Jones, a gold medal, &c.

A silver medal, &c. to each commissioned officer of the Constitution, United States, and Wasp, &c.

A silver medal, &c. to the nearest male relative of lieutenant Bush and Funk.

**1813.** lieutenant Funk, in testimony of the gallantry and merit of those deceased officers, in whom their country has sustained a loss much to be regretted.

The president requested to present lieutenant Elliott, of the navy, an elegant sword, &c.

**SECT. 2.** *And be it further resolved,* That the president of the United States be, and he hereby is, requested to present to lieutenant Elliott, of the navy of the United States, an elegant sword, with suitable emblems and devices, in testimony of the just sense entertained by congress of his gallantry and good conduct in boarding and capturing the British brigs Detroit and Caledonia, while anchored under the protection of fort Erie.

[Approved, January 29, 1813.]

[No. 2.] Resolution requesting the president of the United States to cause to be prepared and laid before congress a system of military discipline.

The president requested to cause to be prepared and laid before congress, &c. a system of military discipline for the infantry of the army and militia, &c.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, requested to cause to be prepared and laid before congress, as soon as practicable, a military system of discipline for the infantry of the army and militia of the United States. [Approved, March 3, 1813.]

[No. 3.] Resolution requesting the president of the United States to present medals to captain William Bainbridge and the officers of the frigate Constitution.

The president requested to present to capt. Wm. Bainbridge, &c. a gold medal, &c. A silver medal, &c. to each commissioned officer of the frigate Constitution, &c.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, requested to present to captain William Bainbridge, of the frigate Constitution, a gold medal, with suitable emblems and devices; and a silver medal, with suitable emblems and devices, to each commissioned officer of the said frigate, in testimony of the high sense entertained by congress of the gallantry, good conduct, and services of captain Bainbridge, his officers and crew, in the capture of the British frigate Java, after a brave and skilful combat.

[Approved, March 3, 1813.]

# ACTS OF THE THIRTEENTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE FIRST SESSION, WHICH WAS BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE 24TH OF MAY, 1813, AND ENDED ON THE 2D OF AUGUST, IN THE SAME YEAR.

James Madison, President. E. Gerry, Vice President, and President of the Senate. H. Clay, Speaker of the House of Representatives.

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CHAP. 529. [I.] This is an act relating entirely to the district of Columbia. 1813.  
See act of 18th April, 1814; sec. 1, chap. 657, post.

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CHAP. 530. [II.] An act for the government of persons in certain fisheries.\* [† See act of 30th July, 1813; chap. 663, post.]

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**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the master or skipper of any vessel of the burthen of twenty tons or upwards, qualified according to law for carrying on the bank and other cod fisheries, bound from a port of the United States, to be employed in any such fishery, at sea, shall, before proceeding on such fishing voyage, make an agreement in writing or print with every fisherman who may be employed therein; (except only an apprentice or servant of himself or owner) and, in addition to such terms of shipment as may be agreed on, shall, in such agreement, express whether the same is to continue for one voyage or for the fishing season, and shall also express that the fish or the proceeds of such fishing voyage or voyages, which may appertain to the fishermen, shall be divided among them in proportion to the quantities or number of said fish which they may respectively have caught; which agreement shall be endorsed or countersigned by the owner of such fishing vessel or his agent. And if any fisherman, having engaged himself for a voyage, or for the fishing season, in any fishing vessel, and signed an agreement therefor, as aforesaid, shall thereafter, and while such agreement remains in force and to be performed, desert or absent himself from such vessel without leave of the master or skipper thereof, or of the owner or his agent, such deserter shall be liable to the same penalties as deserting seamen or mariners are subject to in the merchant service, and may, in the like manner, and upon the like complaint and proof, be apprehended and detained;‡ and all costs of process and commitment, if paid by the master or owner, shall be deducted out of the share of fish, or proceeds of any fishing voyage, to which such deserter had or shall become entitled. And any fisherman, having engaged him-

The master or skipper of any vessel of 20 tons or upwards, qualified for carrying on the cod fisheries, &c. to make, before proceeding on the voyage, a written or printed agreement with every fisherman, &c. except apprentices or servants, expressing, in addition to terms of shipment, whether, &c.

The agreement to be endorsed, &c. by the owner, &c. Fishermen having signed an agreement, and deserting, liable to the same penalties as deserting seamen, &c.

[† See sec. 7, ch. 66, vol. 2.]

Fishermen having engaged, &c.

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and neglecting their duty, &c. besides being answerable for damages, to forfeit their shares of any public allowance, &c.

self as aforesaid, who shall, during such fishing voyage, refuse or neglect his proper duty on board the fishing vessel, being thereto ordered or required by the master or skipper thereof, or shall otherwise resist his just commands, to the hindrance or detriment of such voyage, besides being answerable for all damages arising thereby, shall forfeit, to the use of the owner of such vessel, his share of any public allowance which may be paid upon such voyage.

Where an agreement has been signed, &c. and the fish caught are delivered to the owner, &c. and are sold, the vessel to be liable for six months after the sale for the skipper's and every fisherman's share, &c.

SECT. 2. *And be it further enacted*, That where an agreement or contract shall be so made and signed, for a fishing voyage, or for the fishing season, and any fish, which may have been caught on board such vessel during the same, shall be delivered to the owner or to his agent for cure, and shall be sold by said owner or agent, such vessel shall, for the term of six months after such sale, be liable and answerable for the skipper's and every other fisherman's share of such fish, and may be proceeded against in the same form, and to the same effect, as any other vessel is by law liable and may be proceeded against for the wages of seamen or mariners in the merchant service. And upon such process for the value of a share or shares of the proceeds of fish delivered and sold as aforesaid, it shall be incumbent on the owner or his agent to produce a just account of the sales and division of such fish, according to such agreement or contract; otherwise the said vessel shall be answerable, upon such process, for what may be the highest value of the share or shares demanded. But in all cases the owner of such vessel or his agent, appearing to answer to such process, may offer thereupon his account of general supplies made for such fishing voyage, and of other supplies therefor made, to either of the demandants, and shall be allowed to produce evidence thereof in answer to their demands, respectively; and judgment shall be rendered upon such process for the respective balances which, upon such an inquiry, shall appear:

Upon process for the value of shares of fish delivered and sold, the owner, &c. is to produce a just account of the sale and division, &c. and may offer his account of general supplies, &c.

Provido; when process is issued against any vessel liable, &c. if the owner, &c. will give bond, &c. the vessel is to be discharged.

*Provided always*, That when process shall be issued against any vessel liable as aforesaid, if the owner thereof, or his agent, will give bond to each fisherman in whose favor such process shall be instituted, with sufficient security, to the satisfaction of two justices of the peace, one of whom shall be named by such owner or agent, and the other by the fisherman or fishermen pursuing such process, or if either party shall refuse, then the justice first appointed shall name his associate, with condition to answer and pay whatever sum shall be recovered by him or them on such process, there shall be an immediate discharge of such vessel: *Provided*, That nothing herein contained shall prevent any fisherman from having his action at common law for his share or shares of fish, or the proceeds thereof, as aforesaid.

Provido; nothing herein to prevent a fisherman from having his action at common law.

[Approved, June 19, 1813.]

CHAP. 531. [III.] An act for the relief of Alexander Phoenix and William Nexsen, junior.\*

[\* Private. See act of 3d March, 1813; ante, chap. 527.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That

**Alexander Phoenix and William Nexsen, junior, of the city of 1813.**

New York, insolvent debtors, now, and for a long time past, confined in gaol for debts due to the United States, which they are wholly unable to pay, be henceforth discharged, and remain free from imprisonment and arrest, for and on account of the said debts, and all judgments, suits, costs, and charges, touching the same: *Provided always*, That all property, real, personal, or mixed, which the said Alexander Phoenix and William Nexsen, junior, now have, or hereafter may have or acquire, shall be and remain liable for the payment and satisfaction of the debts, costs, and charges, aforesaid, in the same manner as if this act had never been made: *And provided further*, That nothing in this act contained shall be construed to impair the right of the United States to any estate which the said Alexander Phoenix and William Nexsen, junior, have assigned or conveyed to any person or persons whatever; nor to prevent the recovery of the said estate, for the satisfaction of the debts, costs, and charges, aforesaid; nor shall operate to discharge therefrom any person or persons, except the said Alexander Phoenix and William Nexsen, junior, who may now be liable for the same to the United States, either in whole or in part, in any manner or form whatever.

**Alexander Phoenix and William Nexsen, junior, confined for debts due to the United States, to be discharged, &c.**

Previous; present and future; property liable, &c.

Proviso; nothing in this act to impair the right of the United States to any property which the parties have assigned, nor to discharge any persons except A. Phoenix and W. Nexsen, junior.

[*Approved, June 19, 1813.*]

**CHAP. 532. [IV.] An act to amend the "Act in addition to the act, entitled "An act to raise an additional military force, and for other purposes."**

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That five of the regiments which were authorized to be raised by "An act in addition to the act, entitled "An act to raise an additional military force, and for other purposes,"† passed the twenty-ninth day of January, one thousand eight hundred and thirteen, may, at the discretion of the president of the United States, be enlisted for and during the war, unless sooner discharged, and be limited, as to service, to the defence of the seaboard of the United States, or of such part thereof as the president may elect and determine.

[\* See the act amended, of the 29th Jan. 1813; ante, chap. 480; See, also, the note at the end of chap. 760, post.]

Five of the regiments authorized by the act mentioned, may be enlisted for the war, &c. and be limited to the defence of the seaboard, &c. [† Ante, ch. 480.]

**SECT. 2.** *And be it further enacted*, That each man recruited under the authority of this act, be allowed the same bounty, in money and land, as is allowed by law to men enlisted for five years, or for the war; and that the officers, noncommissioned officers, musicians, and privates, shall receive the same pay, clothing, subsistence, and forage, be entitled to the same benefits, be subject to the same rules and regulations, and be placed, in every respect, on the same footing, as the other regular troops of the United States. [*Approved, July 5, 1813.*]

Each man recruited under this act allowed the same bounty, &c. as men enlisted for five years, &c. Officers, privates, &c. placed on the same footing as other regular troops.

**CHAP. 533. [V.] An act for the relief of Thomas Sloo.†**

[† Private and obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That

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The proper officers of the treasury to pay Thomas Sloo, a commissioner for inquiring into the validity of claims to land in the district of Kaskaskia, 500 dollars in full, &c.

the proper officers of the treasury be, and they are hereby, authorized and required to allow and pay unto Thomas Sloo, one of the commissioners appointed to examine and inquire into the validity of claims to land in the district of Kaskaskia, the sum of five hundred dollars, out of any moneys in the treasury, not otherwise appropriated, in full compensation for his services in taking testimony under direction of the board, and for conveying the report of the commissioners to the seat of government.

[Approved, July 5, 1813.]

CHAP. 534. [VI.] An act authorizing the president of the United States to cause to be built barges for the defence of the ports and harbors of the United States.\*

[\* Repealed, by act of 27th Feb. 1815; sec. 1, ch. 744, post.]

The president to cause to be built a number of barges for the protection of the ports and harbors of the United States, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for the protection of the ports and harbors of the United States, the president shall cause to be built, without delay, such number of barges as he may deem necessary, to be armed, equipped, and manned, as he may direct, of a size not less than forty-five feet long, and capable of carrying heavy guns.

250,000 dollars appropriated for the purpose.

SECT. 2. *And be it further enacted, That,* for the purpose aforesaid, the sum of two hundred and fifty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated.

[Approved, July 5, 1813.]

[† See former act, of 19th Dec. 1809; ante, ch. 328.]

CHAP. 535. [VII.] An act further extending the time for issuing and locating military land warrants.†

The secretary of war authorized to issue military land warrants to persons who, before the 1st March, 1815, produce evidence of the validity of their claims, &c. The warrants may be located in the name of the holders, &c. prior to 1st Oct. 1816, &c.

Patents to be granted as directed by former acts, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the secretary of war be authorized to issue military land warrants to such persons as have or shall, before the first day of March, one thousand eight hundred and sixteen, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued and not yet satisfied, shall and may be located, in the name of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and sixteen, on any unlocated parts of the fifty quarter townships and the fractional quarter townships reserved by law for original holders of military land warrants. And patents shall be granted for the land located under this act, in the same manner as is directed by former acts for granting military lands. [Approved, July 5, 1813.]

[‡ Obsolete.]

CHAP. 536. [VIII.] An act to reward the officers and crew of the sloop of war Hornet; and lieutenant Elliot and his officers and companions.‡

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That*

the president of the United States be, and he is hereby, authorized to have distributed, as prize money, to captain James Lawrence, late of the sloop of war Hornet, his officers, and crew, or their widows and children, the sum of twenty-five thousand dollars, for the capture and destruction of the British brig Peacock; and to lieutenant Elliot, and his officers and companions, or their widows and children, the sum of twelve thousand dollars, for the capture and destruction of the British brig Detroit; and that the sum of thirty-seven thousand dollars be, and the same is hereby, appropriated to the purpose aforesaid, to be paid out of any money in the treasury, not otherwise appropriated.

[Approved, July 13, 1813.]

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The president authorized to cause to be distributed 25,000 dollars, as prize money to captain James Lawrence, his officers, and crew, of the Hornet, for the capture, &c. of the British brig Peacock.  
Lieut. Elliot, his officers and companions, &c. 12,000 dollars, for the capture, &c. of the Detroit.  
37,000 dollars, appropriated, &c.

CHAP. 537. [IX.] An act freeing from postage all letters and packets to and from the superintendent general of military supplies.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* all letters and packets to and from the superintendent general of military supplies, which relate to his official duties, shall be free from postage. [Approved, July 13, 1813.]

Letters, &c. to and from the superintendent general of military supplies, relating to his official duties, to be free from postage.

CHAP. 538. [X.] An act to relinquish the claims of the United States to certain goods, wares, and merchandise, captured by private armed vessels.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* all right and claim which may have accrued to the United States, under an act, entitled "An act to prohibit the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes,"\* and an act, entitled "An act concerning the commercial intercourse between the United States, and Great Britain and France, and their dependencies, and for other purposes,"† and an act supplementary to the last mentioned act,‡ to goods, wares, and merchandise, being the property of British subjects, and shipped from the ports of the United Kingdom of Great Britain and Ireland, since the declaration of war by the United States against that kingdom, which have been captured by private armed vessels of the United States, on the high and open seas, and without the territorial limits and jurisdiction of the United States, and have been libelled and claimed, by or in behalf of the owners and other persons interested in the said private armed vessels, in some court of the United States having competent jurisdiction thereof, be, and the same are hereby, relinquished in all cases where such goods, wares, and merchandise, being the property of British subjects, and captured as aforesaid, shall have been, or shall be, condemned as prize of war, for the benefit of the captors, by the final judgment of any court of the United States, having jurisdiction as aforesaid; all suits, libels, or prosecutions, instituted or commenced in behalf of the United States, for the

All right and claim accrued to the United States under the acts mentioned, to goods, &c. the property of British subjects, shipped since the declaration of war, &c. and captured by private armed vessels, &c. libelled, &c. relinquished, in all cases where they have been condemned for the benefit of the captors, &c.  
[\* Ante, ch. 195.]  
[† Ante, ch. 284.]  
[‡ Ante, ch. 306.]

Suits, libels, &c. commenced on behalf of the



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United States, &c. to be discontinued on payment of the costs, &c.

In all cases where goods, &c. libelled are not condemned for the benefit of the captors, the right of the United States to the forfeiture, &c. to remain unimpaired, &c.

Provido; nothing herein to extend to any capture made in violation of the additional instructions of the president, &c. of the 28th Aug. 1812, &c.

No future decision made by the secretary of the treasury, under the act directing him to remit, &c. to affect the claims of captors, &c. [*\* Ante, ch. 472.*]

All goods, &c. captured and libelled, &c. to pay the same duties as provided by the act concerning letters of marque, &c. [*† Ante, ch. 430.*]

recovery of any forfeiture or penalty, accrued by reason of an infraction of any of the three acts first abovementioned, affecting any goods, wares, or merchandise, the property of British subjects, and which have been captured as aforesaid, and libelled in behalf of the captors, shall be discontinued on payment of the costs accrued on such suits or libels, by or on behalf of the said owner or owners. But in all cases where goods, wares, and merchandise, thus libelled, shall not be condemned as aforesaid for the benefit of the captors, the right and claim of the United States to the forfeiture of such goods, wares, and merchandise, shall, notwithstanding the discontinuance of the suits and libels in behalf of the said states, remain unimpaired, and such forfeitures may, after a final decision against the captors, be recovered or remitted in conformity with the provisions of the several laws now in force, in the same manner as if such suits or libels had not been discontinued: *Provided*, That nothing herein contained shall extend to or embrace any capture made by such private armed vessels in violation of the additional instructions of the president of the United States, to the public and private armed vessels thereof, of the twenty-eighth day of August, in the year one thousand eight hundred and twelve, (c) after the captor shall have been apprized thereof, or by any such private armed vessel which was in any port of the United States subsequent to the said proclamation, and prior to such capture.

SECT. 2. *And be it further enacted*, That no decision which may hereafter be made by the secretary of the treasury, under the act, entitled "An act directing the secretary of the treasury to remit fines, forfeitures, and penalties, in certain cases,"\* shall be held as affecting the claim of any person or persons claiming as captors any goods, wares, or merchandise, the forfeiture of which to the United States shall have been remitted by such decision.

SECT. 3. *And be it further enacted*, That all goods, wares, and merchandise, captured and libelled as aforesaid, shall pay the same duties, to be secured and collected in the same manner, as is provided by the act "concerning letters of marque, prizes, and prize goods,"† with respect to the like goods, wares, and merchandise, when captured from the enemy, and made prize of war. [*Approved, July 13, 1813.*]

(c) *Additional instruction to the public and private armed vessels of the United States.*

The public and private armed vessels of the United States are not to interrupt any vessels belonging to citizens of the United States, coming from British ports to the United States, laden with British merchandise, in consequence of the alleged repeal of the British orders in council; but are, on the contrary, to give aid and assistance to the same; in order that such vessels and their cargoes may be dealt with on their arrival as may be decided by the competent authorities.

By command of the president of the United States of America,

(Signed)

JAS. MONROE, *secretary of state.*

Washington city, August 28, 1812.

CHAP. 539. [XI.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

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CHAP. 540. [XII.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 541. [XIII.] An act providing for the further defence of the ports and harbors of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the president be, and he is hereby, authorized, whenever the same shall be deemed necessary for the defence and security of any of the ports and harbors of the United States, to cause to be hired or purchased, hulks, or other means of impediment to the entrance of the ships or vessels of the enemy, to be sunk, with the consent of the proper authority of the state in which such port or harbor may be, and the same to be removed whenever in his opinion it may be done with safety to such ports or harbors.

The president authorized, when necessary, &c. to cause hulks, &c. to be hired or purchased and sunk, with the consent of the authority of the state, &c. and to cause them to be removed when it may be done with safety, &c. 200,000 dollars, appropriated to defray any expense under this act.

SECT. 2. *And be it further enacted, That*, to defray any expense which may be incurred under this act, the sum of two hundred and fifty thousand dollars be, and the same is hereby, appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated. [Approved, July 16, 1813.]

CHAP. 542. [XIV.] An act concerning suits and costs in courts of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* whenever there shall be several actions or processes against persons who might legally be joined in one action or process, touching any demand or matter in dispute before a court of the United States, or of the territories thereof, if judgment be given for the party pursuing the same, such party shall not thereon recover the costs of more than one action or process, unless special cause for several actions or processes shall be satisfactorily shown on motion in open court.

When there are several actions, &c. against persons who might legally be joined in one, &c. the party pursuing is not to recover the costs of more than one action, unless, &c.

SECT. 2. *Be it further enacted, That* whenever proceedings shall be had on several libels, against any vessel and cargo which might legally be joined in one libel, before a court of the United States, or of the territories thereof, there shall not be allowed thereon more costs than on one libel, unless special cause for libelling the vessel and cargo severally shall be satisfactorily shown as aforesaid. And in proceedings on several libels or informations against any cargo, or parts of cargo or merchandise, seized as forfeited for the same cause, there shall not be allowed by the court more costs than would be lawful on one libel or information, whatever may be the number of owners or consignees therein concerned: but allowance may be made on one

When proceedings are had on several libels against any vessel and cargo, which might be legally joined in one, &c. costs on one libel only to be allowed, unless, &c. In proceedings on several libels, &c. against any cargo, &c. seized as forfeited for the same cause, no more than lawful costs on one libel to be allowed, &c. Allowance on one libel, &c. for costs incidental to several claims.

## 1813. libel or information for the costs incidental to several claims.

*Provido*; in case of a claim of any vessel, &c. seized as forfeited, on judgment in favor of claimant, he is to pay only his own costs.

Whenever causes of like nature, &c. are pending, &c. the court may make such orders, &c. proper for avoiding unnecessary costs or delay, &c.

Any attorney, proctor, &c. multiplying proceedings so as to increase costs unreasonably, &c. may be required to satisfy excess of costs.

*Provided*, That in case of a claim of any vessel or other property seized on behalf of the United States, and libelled or informed against as forfeited under any of the laws thereof, if judgment shall pass in favor of the claimant, he shall be entitled to the same upon paying only his own costs.

SECT. 3. *And be it further enacted*, That whenever causes of like nature, or relative to the same question, shall be pending before a court of the United States, or of the territories thereof, it shall be lawful for the court to make such orders and rules concerning proceedings therein, as may be conformable to the principles and usages belonging to courts, for avoiding unnecessary costs or delay in the administration of justice; and accordingly, causes may be consolidated as to the court shall appear reasonable. And if any attorney, proctor, or other person admitted to manage and conduct causes in a court of the United States, or of the territories thereof, shall appear to have multiplied the proceedings in any cause before the court, so as to increase costs unreasonably and vexatiously, such person may be required, by order of court, to satisfy any excess of costs so incurred.

[*Approved, July 22, 1813.*]

\* Private and obsolete.]

CHAP. 543. [XV.] An act for the remission of certain duties to the Pennsylvania Academy of the Fine Arts.\*

The duties payable on a box of paintings and engravings, owned by the Pennsylvania Academy of the Fine Arts, imported from Halifax to Boston, in 1813, remitted.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all duties due and payable to the United States on a large box of paintings and engravings, owned by the Pennsylvania Academy of the Fine Arts, imported from Halifax to Boston, in the year eighteen hundred and twelve, on board the cartel ship *Agnes*, be, and the same are hereby, remitted.

[*Approved, July 22, 1813.*]

[† Repealed, in part, by act of 9th Jan. 1816; sec. 2, chap. 703, post. See also, act of 3d Aug. 1813; chap. 584, post.] Districts designated and established for assessing and collecting direct taxes and internal duties. New Hampshire to contain five collection districts.

CHAP. 544. [XVI.] An act for the assessment and collection of direct taxes and internal duties.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for the purpose of assessing and collecting direct taxes and internal duties, there shall be, and are hereby, designated and established the following collection districts, to wit:

The state of New Hampshire shall contain five collection districts, as follow: The first district shall consist of the county of Rockingham; the second of the county of Strafford; the third of the county of Hillsborough; the fourth of the county of Cheshire; and the fifth of the counties of Grafton and Coos.

The state of Massachusetts shall contain eighteen collection districts, as follow: The first district shall consist of the county of Washington; the second of the county of Hancock; the third

Massachusetts to contain eighteen collection districts.

of the county of Lincoln; the fourth of the county of Kennebec; the fifth of the county of Somerset; the sixth of the county of Oxford; the seventh of the county of Cumberland; the eighth of the county of York; the ninth of the county of Essex; the tenth of the county of Middlesex; the eleventh of the county of Suffolk; the twelfth of the county of Norfolk; the thirteenth of the county of Plymouth; the fourteenth of the county of Bristol; the fifteenth of the counties of Barnstable, Dukes, and Nantucket; the sixteenth of the county of Worcester; the seventeenth of the counties of Hampshire, Franklin, and Hampden; and the eighteenth of the county of Berkshire.

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The state of Vermont shall contain six collection districts, as follow: The first shall consist of the counties of Bennington and Rutland; the second of the county of Windham; the third of the counties of Windsor and Orange; the fourth of the counties of Addison and Chittenden; the fifth of the counties of Franklin and Grand Isle; and the sixth of the counties of Caledonia, Essex, and Orleans.

Vermont to contain six collection districts.

The aforesaid counties, comprised in the said districts contained in the state of Vermont, shall be taken to comprehend such territory as was included in the said counties, respectively, prior to the formation of the county of Jefferson in said state.

The counties comprised in the districts in Vermont to comprehend the territory included in them prior to the formation of Jefferson, &c. Rhode Island to contain three collection districts.

The state of Rhode Island shall contain three collection districts, as follow: The first shall consist of the counties of Newport and Bristol; the second of the county of Providence; and the third of the counties of Washington and Kent.

The state of Connecticut shall contain seven collection districts, as follow: The first shall consist of the county of Litchfield; the second of the county of Fairfield; the third of the county of New Haven; the fourth of the county of Hartford; the fifth of the county of New London; the sixth of the county of Middlesex; and the seventh of the counties of Windham and Tolland.

Connecticut to contain seven collection districts.

The state of New York shall contain twenty-eight collection districts, as follow: The first shall consist of the counties of Suffolk, Queens, and Kings; the second of the city and county of New York; the third of the county of Westchester; the fourth of Dutchess county; the fifth of the counties of Orange and Rockland; the sixth of the counties of Ulster and Sullivan; the seventh of the county of Schoharie; the eighth of the county of Columbia; the ninth of the county of Rensselaer; the tenth of the county of Washington; the eleventh of the county of Saratoga; the twelfth of the counties of Essex, Clinton, and Franklin; the thirteenth of the counties of Albany and Schenectady; the fourteenth of the county of Montgomery; the fifteenth of the county of Herkimer; the sixteenth of the county of Oneida; the seventeenth of the counties of Lewis, Jefferson, and St. Lawrence; the eighteenth of the county of Otsego; the nineteenth of the county of Chenango; the twentieth of the county of Madison; the twenty-first of the counties of Tioga, Broome, and Steuben; the twenty-second of the counties of Onondago and Cortland; the twenty-third of the counties of Cayuga and Seneca; the twenty-fourth of the county of Ontario; the twenty-fifth of the

New York to contain twenty-eight collection districts.

**1813.** counties of Gennessee, Niagara, Chautaque, Cataraugus, and Allegheny; the twenty-sixth of the county of Richmond; the twenty-seventh of the county of Greene; and the twenty-eighth of the county of Delaware.

New Jersey to contain six collection districts.

The state of New Jersey shall contain six collection districts, as follow: The first shall consist of the counties of Bergen and Essex; the second of the counties of Sussex and Morris; the third of the counties of Somerset and Hunterdon; the fourth of the counties of Middlesex and Monmouth; the fifth of the counties of Burlington and Gloucester; and the sixth of the counties of Salem, Cumberland, and Cape May.

Pennsylvania to contain twenty-three collection districts.

The state of Pennsylvania shall contain twenty-three collection districts, as follow: The first shall consist of the city of Philadelphia; the second of the county of Philadelphia; the third of the counties of Chester and Delaware; the fourth of the county of Montgomery; the fifth of the county of Bucks; the sixth of the county of Lancaster; the seventh of the counties of York and Adams; the eighth of the counties of Northampton and Wayne; the ninth of the county of Berks; the tenth of the county of Dauphin; the eleventh of the counties of Cumberland and Franklin; the twelfth of the county of Northumberland; the thirteenth of the counties of Mifflin and Huntingdon; the fourteenth of the counties of Bedford, Somerset, and Cambria; the fifteenth of the counties of Fayette and Greene; the sixteenth of the county of Washington; the seventeenth of the counties of Allegheny and Armstrong; the eighteenth of the counties of Westmoreland and Indiana; the nineteenth of the counties of Centre, Clearfield, Potter, Jefferson, and M'Kean; the twentieth of the county of Luzerne, having the same limits as it had before the counties of Susquehannah and Bradford were laid off; the twenty-first of the counties of Lycoming and Tioga, the same having the limits as it had before the county of Bradford was laid off; the twenty-second of the counties of Mercer, Butler, and Beaver; and the twenty-third of the counties of Crawford, Venango, Erie, and Warren.

Delaware to contain three collection districts.

The state of Delaware shall contain three collection districts, as follow: The first shall consist of the county of New Castle; the second of the county of Kent; and the third of the county of Sussex.

Maryland to contain nine collection districts.

The state of Maryland shall contain nine collection districts, as follow: The first shall consist of the counties of Somerset, Worcester, and Dorchester; the second of the counties of Talbot, Queen Anne, and Caroline; the third of the counties of Kent, Cecil, and Hartford; the fourth of the city and county of Baltimore; the fifth of the counties of Anne Arundel and Prince George; the sixth of the counties of Calvert, St. Mary's, and Charles; the seventh of the counties of Montgomery and Frederick; the eighth of the county of Washington; and the ninth of the county of Allegheny.

Virginia to contain twenty-six collection districts.

The state of Virginia shall contain twenty-six collection districts, as follow: The first shall consist of the counties of Lee, Russell, Washington, Wythe, and Grayson; the second of the

counties of Montgomery, Tazewell, Giles, Monroe, and Botetourt; the third of the counties of Greenbriar, Kanhawa, Cabell, and Mason; the fourth of the counties of Harrison, Wood, and Randolph; the fifth of the counties of Monongalia, Ohio, and Brooke; the sixth of the counties of Bath, Pendleton, Hardy, and Hampshire; the seventh of the counties of Rockbridge and Augusta; the eighth of the counties of Rockingham and Shenandoah; the ninth of the counties of Frederick, Berkley, and Jefferson; the tenth of the counties of Bedford, Patrick, Henry, and Franklin; the eleventh of the counties of Campbell, Charlotte, Pittsylvania, and Halifax; the twelfth of the counties of Mecklinburg, Lunenburg, Brunswick, and Nottaway; the thirteenth of the counties of Prince Edward, Buckingham, Cumberland, and Amelia; the fourteenth of the counties of Powhatan, Chesterfield, Dinwiddie, and Prince George; the fifteenth of the counties of Greenville, Sussex, Southampton, and Surry; the sixteenth of the counties of the Isle of Wight, Nansemond, Norfolk, and Princess Anne; the seventeenth of the counties of Elizabeth City, Warwick, York, James City, and New Kent; the eighteenth of the counties of Charles City, Henrico, Goochland, and Hanover; the nineteenth of the counties of Amherst, Nelson, Albemarle, and Fluvannah; the twentieth of the counties of Orange, Madison, and Culpepper; the twenty-first of the counties of Fauquier, Prince William, and Stafford; the twenty-second of the counties of Loudon and Fairfax; the twenty-third of the counties of Spottsylvania, Louisa, and Caroline; the twenty-fourth of the counties of King George, Westmoreland, Richmond, Northumberland, and Lancaster; the twenty-fifth of the counties of King William, King and Queen, Essex, Middlesex, Gloucester, and Matthews; and the twenty-sixth of the counties of Accomack and Northampton.

The state of North Carolina shall contain thirteen collection districts, as follow: The first shall consist of the counties of Currituck, Camden, Pasquotank, Perquimans, Gates, Chowan, and Hertford; the second of the counties of Bertie, Martin, Northampton, and Halifax; the third of the counties of Washington, Tyrrel, Hyde, Pitt, Edgecombe, and Beaufort; the fourth of the counties of Green, Craven, Carteret, Jones, Lenoir, Johnston, and Wayne; the fifth of the counties of Warren, Franklin, Nash, and Granville; the sixth of the counties of Onslow, New Hanover, Duplin, Sampson, Brunswick, Bladen, and Columbus; the seventh of the counties of Cumberland, Robertson, Montgomery, Richmond, Anson, and Moore; the eighth of the counties of Wake, Orange, and Person; the ninth of the counties of Rockingham, Caswell, Guilford, and Stokes; the tenth of the counties of Rowan, Randolph, and Chatham; the eleventh of the counties of Lincoln, Mecklenburg, and Cabarrus; the twelfth of the counties of Buncomb, Haywood, Burke, and Rutherford; the thirteenth of the counties of Surry, Wilkes, Iredell, and Ashe.

North Carolina  
to contain thirteen  
collection districts.

The state of Ohio shall contain nine collection districts, as follow: The first shall consist of the counties of Hamilton, Butler, Warren, Clinton, and Clermont; the second of the counties

Ohio to contain  
nine collection  
districts.

**1813.** of Greene, Montgomery, Preble, Miami, and Champaigne; the third of the counties of Pickaway, Franklin, Madison, Delaware, Knox, Licking, and Fairfield; the fourth of the counties of Ross, Athens, Gallia, Sciota, Adams, Highland, and Fayette; the fifth of the counties of Washington, Muskingum, Tuscarawas, and Guernsey; the sixth of the counties of Belmont and Jefferson; the seventh of the counties of Columbiana and Starke; the eighth of the counties of Trumbull and Ashtabula; the ninth of the counties of Giauga, Cayahoga, and Portage.

Kentucky to contain ten collection districts.

The state of Kentucky shall contain ten collection districts, as follow: The first district shall consist of the counties of Clark, Estill, Montgomery, Bath, Fleming, Greenup, and Floyd; the second of the counties of Fayette, Jessamine, and Woodford; the third of the counties of Scott, Harrison, Pendleton, Campbell, Boone, Gallatin, and Franklin; the fourth of the counties of Bourbon, Nicholas, Bracken, Mason, and Lewis; the fifth of the counties of Livingston, Caldwell, Christian, Breckenridge, Ohio, Grayson, Muhlenburg, Henderson, Hopkins, and Union; the sixth of the counties of Barron, Warren, Logan, Butler, and Cumberland; the seventh of the counties of Mercer, Garrard, Madison, and Clay; the eighth of the counties of Bullitt, Jefferson, Henry, and Shelby; the ninth of the counties of Lincoln, Rockcastle, Knox, Pulaski, Wayne, Adair, and Casey; and the tenth of the counties of Hardin, Nelson, Washington, and Green.

South Carolina to consist of nine collection districts.

The state of South Carolina shall consist of nine collection districts, as follow: The first shall consist of the district of Charleston; the second of the districts of Colleton and Beaufort; the third of the districts of Barnwell, Orangeburg, Lexington, and Richland; the fourth of the districts of Edgefield and Abbeville; the fifth of the districts of Pendleton and Greenville; the sixth of the districts of Laurens, Newberry, and Fairfield; the seventh of the districts of Spartanburg, Union, York, and Chester; the eighth of the districts of Lancaster, Sumpter, Kershaw, and Chesterfield; and the ninth of the districts of Georgetown, Horry, Marion, Marlborough, Darlington, and Williamsburgh.

Tennessee to contain six collection districts.

The state of Tennessee shall contain six collection districts, as follow: The first shall consist of the counties of Washington, Sullivan, Green, Hawkins, and Carter; the second of the counties of Claiborne, Grainger, Jefferson, Knox, Cocke, Sevier, and Blount; the third of the counties of Anderson, Campbell, Roan, Bledsoe, Rhea, Overton, White, Warren, and Franklin; the fourth of the counties of Smith, Jackson, Sumner, and Wilson; the fifth of the counties of Davidson, Williamson, Rutherford, Bedford, and Lincoln; and the sixth of the counties of Maury, Giles, Hickman, Humphreys, Stewart, Dixon, Montgomery, and Robertson.

Georgia to contain six collection districts.

The state of Georgia shall contain six collection districts, as follow: The first shall consist of the counties of Chatham, Bryan, Liberty, McIntosh, Glynn, Camden, Wayne, Effingham, Bullock, and Tatnall; the second of the counties of Scriven, Burke, Richmond, Jefferson, Washington, and Montgomery; the third of the counties of Columbia, Warren, Hancock, and Greene;

the fourth of the counties of Lincoln, Wilkes, Elbert, and Franklin; the fifth of the counties of Oglethorpe, Jackson, Clark, and Morgan; and the sixth of the counties of Laurens, Pulaski, Wilkinson, Telfair, Twiggs, Baldwin, Jones, Putnam, and Jasper, formerly called Randolph.

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And the state of Louisiana shall contain four collection districts, as follow: The first shall consist of the counties of Concordia, Ouachitta, Natchitoches, and Rapides; the second of the counties of Lefourche, Opelousas, and Attakapas; the third of the counties of Orleans, German Coast, Acadia, Iberville, and Point Coupee; and the fourth of the parishes of Feliciana, East Baton Rouge, Saint Helena, and Saint Tammany.

Louisiana to contain four collection districts.

The several counties and districts heretofore enumerated, shall be held, in reference to this act, to be such, and with the same boundaries, as they had at the time of taking the third census or enumeration of the people of the United States; and where any new county or district shall have been, or hereafter may be, formed within any state, out of any one or more of the counties or districts composing any one of the said collection districts, such new county or district shall be considered as part of such collection district; and if such new county shall have been, or hereafter shall be, formed out of counties lying in different collection districts, then the secretary of the treasury shall determine to which of such collection districts it shall belong.

The counties, &c. enumerated, to be held as having the boundaries they had at the time of taking the third census, &c.

If a new county be formed within a collection district it is to be considered part of such district.

If a new county be formed out of counties lying in different districts, the secretary of the treasury to decide, &c.

SECT. 2. *And be it further enacted,* That one collector and one principal assessor shall be appointed for each of the said collection districts, who shall be a respectable freeholder, and reside within the same; and if the appointment of the said collectors, or any of them, shall not be made during the present session of congress, the president of the United States shall be, and is hereby, empowered to make such appointment during the recess of the senate, by granting commissions, which shall expire at the end of their next session.

One collector and one principal assessor to be appointed for each collection district, &c.

The president may appoint during the recess, &c.

SECT. 3. *And be it further enacted,* That each of the principal assessors shall divide his district into a convenient number of assessment districts, within each of which he shall appoint one respectable freeholder to be assistant assessor: *Provided,* That the secretary of the treasury shall be, and hereby is, authorized to reduce the number of assessment districts in any collection district in any state, if the number shall appear to him to be too great; and each assessor, so appointed, and accepting the appointment, shall, before he enters on the duties of his appointment, take and subscribe, before some competent magistrate, or some collector to be appointed by this act, (who is hereby empowered to administer the same,) the following oath or affirmation, to wit: "I, A B, do swear or affirm, (as the case may be), that I will, to the best of my knowledge, skill, and judgment, diligently and faithfully execute the office and duties of assessor for (naming the assessment district) without favor or partiality, and that I will do equal right and justice, in every case in which I shall act as assessor." And a certificate of such oath or affirmation shall be delivered to the collector of the district for which such assessor

Principal assessors to divide their districts into assessment districts.

Assistant assessors. *Provided;* the secretary of the treasury authorized to reduce the number of districts if, &c. Each assessor to take and subscribe an oath.

Form of the oath.

A certificate of the oath to be delivered to the



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collector, &c.  
Every assessor  
acting without  
having taken  
the oath, to for-  
feit 100 dolls, &c.

The secretary of  
the treasury to  
establish regula-  
tions suitable  
for carrying this  
act into effect,  
&c.

The principal  
assessors to  
cause the assist-  
ants to inquire  
after all lands,  
dwelling houses,  
&c. and to value  
and enumerate,  
&c.

When a direct  
tax is laid, it is  
to be assessed,  
&c. on the value  
of lands, &c. at  
the rate each is  
worth in money.

Provided; prop-  
erty belonging to  
the United  
States, to a state,  
or permanently  
or specially  
exempted by the  
laws of the state,  
exempted from  
valuation, &c.

The assistant  
assessors to pro-  
ceed through their  
districts, and re-  
quire the  
owners or man-  
agers of land,  
dwelling houses,  
and slaves, &c.  
to deliver writ-  
ten lists, &c.

If persons are  
not prepared,  
&c. and consent  
to disclose par-  
ticulars, &c. the  
officer is to make  
a list, &c.

shall be appointed; and every assessor, acting in the said office, without having taken the said oath or affirmation, shall forfeit and pay one hundred dollars, one moiety to the use of the United States, and the other to him who shall first sue for the same, to be recovered, with costs of suit, in any court having competent jurisdiction.

SECT. 4. *And be it further enacted*, That the secretary of the treasury shall establish regulations suitable and necessary for carrying this act into effect; which regulations shall be binding on each assessor in the performance of the duties enjoined by or under this act; and also frame instructions for the said assessors; pursuant to which instructions, and whenever a direct tax shall be laid by the authority of the United States, the said principal assessors shall, respectively, on such day as may be fixed by law laying such a tax, direct and cause the several assistant assessors in the district, to inquire after and concerning all lands, lots of ground, with their improvements, dwelling houses, and slaves, made liable to taxation, under any direct tax so laid by the authority of the United States, by reference as well to any lists of assessment or collection taken under the laws of the respective states, as to any other records or documents, and by all other lawful ways and means, and to value and enumerate the said objects of taxation in the manner prescribed by this act, and in conformity with the regulations and instructions abovementioned.

SECT. 5. *And be it further enacted*, That whenever a direct tax shall be laid by the authority of the United States, the same shall be assessed and laid on the value of all lands, lots of ground with their improvements, dwelling houses and slaves; which several articles, subject to taxation, shall be enumerated and valued by the respective assessors, at the rate each of them is worth in money: *Provided, however*, That all property of whatever kind, coming within any of the foregoing descriptions, and belonging to the United States, or any state, or permanently or specially exempted from taxation by the laws of the state wherein the same may be situated, shall be exempted from the aforesaid enumeration and valuation, and from the direct tax aforesaid.

SECT. 6. *And be it further enacted*, That the respective assistant assessors shall, immediately after being required as aforesaid by the principal assessors, proceed through every part of their respective districts, and shall require all persons owning, possessing, or having the care or management of any lands, lots of ground, dwelling houses, or slaves, lying and being within the collection district where they reside, and liable to the direct tax as aforesaid, to deliver written lists of the same, which lists shall be made in such manner as may be directed by the principal assessor, and, as far as practicable, conformably to those which may be required for the same purpose under the authority of the respective states.

SECT. 7. *And be it further enacted*, That if any person as aforesaid, shall not be prepared to exhibit a written list when required, and shall consent to disclose the particulars of any and all the lands, lots of ground, with their improvements, dwelling

houses, and slaves, taxable as aforesaid, then, and in such case, 1813.  
it shall be the duty of the officer to make such list, which being distinctly read and consented to, shall be received as the list of such person.

SECT. 8. *And be it further enacted,* That if any such person shall deliver, or disclose, to any assessor appointed in pursuance of this act, and requiring a list or lists as aforesaid, any false or fraudulent list, with intent to defeat or evade the valuation or enumeration hereby intended to be made, such person so offending, and being thereof convicted before any court having competent jurisdiction, shall be fined in a sum not exceeding five hundred dollars, nor less than one hundred dollars, at the discretion of the court, and shall pay all costs and charges of prosecution; and the valuation and enumeration required by this act shall, in all such cases, be made as aforesaid, upon lists according to the form above described, to be made out by the assessors, respectively, which lists the said assessors are hereby authorized and required to make, according to the best information they can obtain, and for the purpose of making which they are hereby authorized to enter into and upon all and singular the premises respectively; and from the valuation and enumeration so made, there shall be no appeal.

SECT. 9. *And be it further enacted,* That in case any person shall be absent from his place of residence, at the time an assessor shall call to receive the list of such person, it shall be the duty of such assessor to leave, at the house, or place of residence, of such person, a written note or memorandum, requiring him to present to such assessor, the list or lists required by this act, within ten days from the date of such note or memorandum.

SECT. 10. *And be it further enacted,* That if any person, on being notified or required as aforesaid, shall refuse or neglect to give such list or lists as aforesaid, within the time required by this act, it shall be the duty of the assessor for the assessment district, within which such person shall reside, and he is hereby authorized and required, to enter into and upon the lands, dwelling houses, and premises, if it be necessary, of such person so refusing or neglecting, and to make, according to the best information which he can obtain, and on his own view and information, such lists of the lands, lots of ground with their improvements, dwelling houses, and slaves, owned, possessed, or under the care or management of such person, as are required by this act; which lists, so made, and subscribed by such assessor, shall be taken and reputed as good and sufficient lists of the persons and property for which such person is to be taxed, for the purposes of this act; and the person so failing or neglecting, unless in case of sickness or absence from home, shall, moreover, forfeit and pay the sum of one hundred dollars, to be recovered, for the use of the United States, with costs of suit, in any court having competent jurisdiction.

SECT. 11. *And be it further enacted,* That whenever there shall be, in any assessment district, any property, lands, lots of ground, dwelling houses, or slaves, not owned or possessed by,

If any person delivers, &c. to any assessor, &c. a false or fraudulent list, with intent to evade, &c. he will be fined, and have to pay costs and charges of prosecution.

In case of false information, the assessors may enter on the premises, &c. and there is no appeal from such valuation.

In case a person is absent when the assessor calls, he is to leave a written note, &c.

If any person, on being notified, refuses or neglects to give lists, &c. the assessor is to enter upon the lands, &c. and to make the lists on his own view, &c.

The lists made, on the view of the assessor, to be taken as good and sufficient, &c. The person failing to forfeit 100 dollars, unless, &c.

Whenever, in any assessment district, there is any property, &c. not owned,

**1813.** or under the care or management of, any person or persons within such district, and liable to be taxed as aforesaid, and no list of which shall be transmitted to the principal assessor, in the manner provided by this act, it shall be the duty of the assessor for such district, and he is hereby authorized and required, to enter into and upon the real estate, if it be necessary, and take such view thereof, and of the slaves of such absent persons, of which lists are required, and to make lists of the same according to the form prescribed by this act; which lists, being subscribed by the said assessor, shall be taken and reputed as good and sufficient lists of such property, under and for the purposes of this act.

Owners, &c. of lands, &c. not lying in the district where they reside, are permitted to make out and deliver the list, &c. provided, &c.

Assistant assessors to transmit the lists, &c. to the principal assessor, &c. who is to transmit them to the principal assessor of the district where the property lies, &c.

The person making and delivering such lists, to pay to the assistant assessor for each one dollar, &c.

The lists to be taken with reference to the day fixed by the act of congress, &c.  
The assistant assessors to arrange the lists, and make two general lists, &c.  
The first list to exhibit, &c.

The second list to exhibit, &c.

The forms of the general lists to be prescribed by

**SECT. 12.** *And be it further enacted,* That the owners, possessors, or persons having the care and management, of lands, lots of ground, dwelling houses, and slaves, not lying or being within the assessment district in which they reside, shall be permitted to make out and deliver the list thereof, required by this act, (provided the assessment district in which the said objects of taxation lie or be, is therein distinctly stated) at the time and in the manner prescribed, to the assessor of the assessment district wherein such persons reside. And it shall be the duty of the assistant assessors, in all such cases, to transmit such lists, at the time and in the manner prescribed for the transmission of the lists of the objects of taxation lying and being within their respective assessment districts, to the principal assessor of their collection district, whose duty it shall be to transmit them to the principal assessor of the collection district wherein the said objects of taxation shall lie or be, immediately after the receipt thereof; and the said lists shall be valid and sufficient for the purposes of this act; and on the delivery of every such list, the person making and delivering the same, shall pay to the assistant assessor one dollar, one-half whereof he shall retain to his own use, and the other half thereof he shall pay over to the principal assessor of his district for the use of such principal assessor.

**SECT. 13.** *And be it further enacted,* That the lists aforesaid shall be taken with reference to the day fixed for that purpose by the act or acts of congress laying the tax or taxes; and the assistant assessors respectively, after collecting the said lists, shall proceed to arrange the same, and to make two general lists, the first of which shall exhibit, in alphabetical order, the names of all persons liable to pay a tax under the authority of the United States, residing within the assessment district, together with the value and assessment of the objects liable to taxation within such district, for which each such person is liable to pay a direct tax, and whenever so required by the principal assessor, the amount of direct tax, payable by each person on such objects under the state laws imposing direct taxes; and the second list shall exhibit, in alphabetical order, the names of all persons residing out of the collection district, owners of property within the district, together with the value and assessment thereof, or amount of direct tax due thereon, as aforesaid. The forms of the said general list shall be devised and prescribed by the principal assessor, and

lists taken according to such form shall be made out by the assistant assessors, and delivered to the principal assessor within sixty days after the day fixed by the act of congress requiring lists from individuals. And if any assistant assessor shall fail to perform any duty assigned by this act, within the time prescribed by his precept, warrant, or other legal instructions, not being prevented therefrom by sickness or other unavoidable accident, every such assessor shall be discharged from office, and shall, moreover, forfeit and pay two hundred dollars, to be recovered, for the use of the United States, in any court having competent jurisdiction, with costs of suit.

SECT. 14. *And be it further enacted*, That, immediately after the valuations and enumerations shall have been completed, as aforesaid, the principal assessor in each collection district shall, by advertisement in some public newspaper, if any such there be in such district, and by written notifications to be publicly posted up in at least four of the most public places in each assessment district, advertise all persons concerned of the place where the said lists, valuations, and enumerations, may be seen and examined; and that, during twenty-five days after the publication of the notification as aforesaid, appeals will be received and determined by him relative to any erroneous or excessive valuations or enumerations by the assessor. And it shall be the duty of the principal assessor in each collection district, during twenty-five days after the date of public notification to be made as aforesaid, to submit the proceedings of the assessors, and the lists by them received or taken as aforesaid, to the inspection of any and all persons who shall apply for that purpose; and the said principal assessors are hereby authorized to receive, hear, and determine, in a summary way, according to law and right, upon any and all appeals which may be exhibited against the proceedings of the said assessors: *Provided always*, That the question to be determined by the principal assessor, on an appeal respecting the valuation of property, shall be, whether the valuation complained of be or be not in a just relation or proportion to other valuations in the same assessment district. And all appeals to the principal assessors, as aforesaid, shall be made in writing, and shall specify the particular cause, matter, or thing, respecting which a decision is requested; and shall moreover state the ground or principle of inequality or error complained of; and the principal assessor shall have power to re-examine and equalize the valuations as shall appear just and equitable; but no valuation shall be increased without a previous notice of at least five days to the party interested to appear and object to the same, if he judge proper; which notice shall be given by a note in writing, to be left at the dwelling house of the party by such assessor as the principal assessor shall designate for that purpose.

SECT. 15. *And be it further enacted*, That whenever the quotas or portions of direct tax payable by the states, respectively, shall be laid and apportioned by law on the counties or state districts, and such county or counties, state district or districts, shall contain more than one assessment district, then and in that case, the

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the principal assessor; the lists to be delivered within 60 days, &c.

Assistant assessors failing to perform their duty, &c. unless prevented by sickness, &c. to be discharged, and forfeit \$200 dolls. &c.

After the valuations, &c. have been completed, the principal assessor in each district is to give notice where the lists may be examined, and that, during 25 days, appeals will be received, &c.

The principal assessor, during the 25 days, to submit the proceedings of the assessors, and the lists, to the inspection of all persons, &c. The principal assessors authorized to hear and determine appeals, &c.

Provided; the question to be determined on appeal to be whether the valuation complained of be or be not in a just proportion to others, &c. All appeals to be in writing, &c. and to specify the particular cause, &c.

The principal assessor empowered to re-examine and equalize valuations; but no increase without previous notice, &c.

Whenever the portions of direct tax payable by the states are laid on counties, &c. which contain more than one assessment district, the

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principal assessors are empowered, &c. to revise and equalize the valuations, &c.

principal assessors shall have power, on examination of the lists rendered by the assistant assessors, according to the provisions of this act, to revise, adjust, and equalize, the valuations of lands, lots of ground with their improvements, dwelling houses, and slaves, between such assessment districts, by deducting from or adding to either such a rate per centum as shall appear just and equitable.

After hearing appeals and equalizing valuations, &c. the principal assessors are to make out lists containing the sums payable, &c.

The lists to contain the name of each person, &c.

Where there is any property not owned or occupied, &c. there is to be a separate list, &c.

Each collector to be furnished with a list within 60 days after the principal assessors have received the lists from the assistants, &c.

Each collector, on receiving a list, to subscribe three receipts, &c.

A list and receipt to remain with the principal assessor, and to be open for inspection, &c.

Two of the receipts to be given on aggregate statement, &c. one to be transmitted to the secretary the other to the comptroller, of the treasury. Each collector to give bond in double the

SECT. 16. *And be it further enacted*, That immediately after hearing appeals, and adjusting and equalizing the valuations, according to the provisions of the preceding section, the principal assessors, respectively, shall make out lists containing the sums payable according to the assessments aforesaid and according to the provisions of this act, upon every object of taxation within their respective districts, so as to raise upon the county or counties, state, district or districts, contained within the collection districts established by this act, for which they are respectively appointed, the quota of the direct tax laid by the United States, which shall have been imposed on such county or counties, state, district or districts, by the law laying such direct tax; which lists shall contain the name of each person residing within the collection district liable to pay the direct tax, or of the person residing within the said district, and having the care or superintendence of property lying within the said district, which is liable to the payment of said tax, where such person or persons are known, together with the sum payable by each such person or persons aforesaid, on account of the said direct tax as aforesaid. And where there is any property within any collection district, liable to the payment of the direct tax, not owned or occupied by or under the superintendence of any person resident therein, there shall be a separate list of such property, specifying the sums payable, and the names of the respective proprietors, where known.

SECT. 17. *And be it further enacted*, That each of the collectors, to be appointed as aforesaid, shall, within sixty days from the day on which the principal assessors shall have received the lists from the assistant assessors, be furnished by the principal assessors with one or more of the lists prepared, in conformity with the preceding sections, by the principal assessor, signed and certified by such assessor. And each collector, on receiving a list as aforesaid, shall subscribe three receipts, one of which shall be given on a full and correct copy of such list, which list and receipt shall remain with the principal assessor, and be open to the inspection of any person who may apply to inspect the same; and the other two receipts shall be given on aggregate statements of the lists aforesaid, exhibiting the gross amount of taxes to be collected in each county or state district contained in the collection district; one of which aggregate statements and receipts shall be transmitted to the secretary, and the other to the comptroller, of the treasury.

SECT. 18. *And be it further enacted*, That each collector, before receiving any list as aforesaid, for collection, shall give bond, with one or more good and sufficient sureties, to be approved by

the comptroller of the treasury, in at least double the amount of **1813,** the taxes assessed in the collection district for which he may be appointed; which bond shall be payable to the United States, with condition for the true and faithful discharge of the duties of his office, according to law, and particularly for the due collection and payment of all moneys assessed upon such district; and said bond shall be transmitted to, and deposited in, the office of the comptroller of the treasury.

amount of the taxes assessed, &c.  
The bond to be payable to the United States, with condition, &c.  
The bond to be deposited in the office of the comptroller.

SECT. 19. *And be it further enacted,* That the taxes so assessed shall be and remain a lien upon all lands and other real estate, and all slaves of the individuals who may be assessed for the same, during two years after the time it shall become due and payable; and the said lien shall extend to each and every part of all tracts or lots of land or dwelling houses, notwithstanding the same may have been divided or alienated in part.

The taxes assessed to be a lien, &c. for two years after they are due, &c.

Extent of the lien.

SECT. 20. *And be it further enacted,* That each collector shall be authorized to appoint, by an instrument of writing under his hand and seal, as many deputies as he may think proper, assigning to each such deputy, by that instrument of writing, such portion of his collection district as he may think proper; and also to revoke the powers of any deputy, giving public notice thereof in that portion of the district assigned to such deputy. And each such deputy shall have the like authority in every respect, to collect the tax so assessed within the portion of the district assigned to him, which is by this act vested in the collector himself; but each collector shall, in every respect, be responsible both to the United States and to individuals, as the case may be, for all moneys collected, and for every act done, as deputy collector, by any of his deputies, whilst acting as such: *Provided,* That nothing herein contained shall prevent any collector from collecting, himself, the whole or any part of the tax so assessed and payable in his district.

Collectors may appoint deputies, revoke their powers, &c.

Each deputy to have like authority, &c.

Collectors to be responsible for their deputies, &c.

Provido; nothing herein to prevent the collector from collecting the whole, &c.

SECT. 21. *And be it further enacted,* That each of the said collectors, or his deputies, shall, within ten days after receiving his collection list, advertise, in one newspaper printed in his collection district, if any there be, and by notifications to be posted up in at least four public places in his collection district, that the said tax has become due and payable, and state the times and places at which he or they will attend to receive the same, which shall be within twenty days after such notification; and with respect to persons who shall not attend, according to such notifications, it shall be the duty of each collector, in person, or by deputy, to apply once at their respective dwellings, within such district, and there demand the taxes payable by such persons; which application shall be made within sixty days after the receipt of collection lists by the collectors; and if the said taxes shall not be then paid, or within twenty days thereafter, it shall be lawful for such collector and his deputies to proceed to collect the said taxes by distress and sale of the goods, chattels, or effects, of the persons delinquent as aforesaid, with a commission of eight per centum upon the said taxes, to and for the use of such collector: *Provided,* That it shall not be lawful to make

The collectors to give notice that the tax has become payable, and state the times and places at which they will attend, &c.

With respect to persons who do not attend, it is the duty of the collectors, &c. to apply at their dwellings once, &c.

If the taxes are not paid in 30 days after application, the collectors may proceed by distress &c.

Provido; tools, &c. exempted from distress.

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distress of the tools or implements of a trade or profession, beasts of the plough necessary for the cultivation of improved lands, arms, or household furniture, or apparel necessary for a family.

When goods, chattels, &c. cannot be found to satisfy the tax on dwelling houses, &c. the collector, having advertised, &c. is to sell as much of the property as will pay the taxes, and 30 per cent. and if it cannot be sold for the amount, &c. the collector is to purchase it in behalf of the United States.

Provido; the owner may prevent the sale, after advertisement, by paying the tax and ten per cent.

Provido; the owners, their heirs, &c. may redeem the property sold, within 3 years, upon payment of the amount paid by the purchaser, with interest, at the rate of 30 per cent. No deed until the time of redemption expires.

The collector to render a distinct account of charges, &c. and pay the surplus of the 30 per cent. &c. into the treasury.

Where the taxes have not been paid, within 90 days, on property lying in a district not owned, &c. by a person residing there, the collector is to transmit lists to a collector of the state designated by the secretary of the treasury, which collector is to transmit receipts, give notice, &c. and the owners of the property may pay the tax with an addition of 10 per cent.

SECT. 22. *And be it further enacted*, That whenever goods, chattels, or effects, sufficient to satisfy any tax upon dwelling-houses or lands, and their improvements, owned, occupied, or superintended, by persons known and residing within the same collection district, cannot be found, the collector, having first advertised the same for thirty days in a newspaper printed within the collection district, if such there be, and having posted up, in at least ten public places within the same, a notification of the intended sale, thirty days previously thereto, shall proceed to sell at public sale so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum to the said taxes. And if the property so advertised for sale, cannot be sold for the amount of the tax due thereon, with the said additional per centum thereto, the collector shall purchase the same in behalf of the United States, for the amount aforesaid: *Provided*, That the owner or superintendent of the property aforesaid, after the same shall have been as aforesaid advertised for sale, and before it shall have been actually sold, shall be allowed to pay the amount of the tax thereon, with an addition of ten per centum on the same, on the payment of which the sale of the said property shall not take place: *Provided also*, That the owners, their heirs, executors, or administrators, or any person in their behalf, shall have liberty to redeem the lands and other property sold as aforesaid, within two years from the time of sale, upon payment to the collector, for the use of the purchaser, his heirs or assigns, of the amount paid by such purchaser, with interest for the same, at the rate of twenty per centum per annum; and no deed shall be given in pursuance of such sale, until the time of redemption shall have expired; and the collector shall render a distinct account of the charges incurred in offering and advertising for sale such property, and shall pay into the treasury the surplus, if any there be, of the aforesaid addition of twenty per centum, or ten per centum, as the case may be, after defraying the said charges.

SECT. 23. *And be it further enacted*, That, with respect to property lying within any collection district, not owned, occupied, or superintended, by some person residing therein, and on which the tax shall not have been paid to the collector within ninety days after the day on which he shall have received the collection lists from the principal assessor, the collector shall transmit lists of the same to one of the collectors within the same state, to be designated for that purpose by the secretary of the treasury. And the collector who shall have been thus designated by the secretary of the treasury, shall transmit receipts, for all the lists received as aforesaid, to the collector transmitting the same, and the collectors thus designated in each state by the secretary of the treasury, shall cause notifications of the taxes due as aforesaid, and contained in the lists thus transmitted to them, to be

published for sixty days, in at least one of the newspapers published in the state; and the owners of the property on which such taxes may be due, shall be permitted to pay to such collector the said tax, with an addition of ten per centum thereon: *Provided*, Such payment is made within one year after the day on which the collector of the district, where such property lies, had notified that the tax had become due on the same.

SECT. 24. *And be it further enacted*, That when any tax, as aforesaid, shall have remained unpaid for the term of one year as aforesaid, the collector in the state where the property lies, and who shall have been designated by the secretary of the treasury as aforesaid, having first advertised the same for sixty days, in at least one newspaper in the state, shall proceed to sell, at public sale, so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum thereon. If the property advertised for sale cannot be sold for the amount of the tax due thereon, with the said addition thereon, the collector shall purchase the same, in behalf of the United States, for the amount aforesaid. And the collector shall render a distinct account of the charges incurred in offering and advertising for sale such property, and pay into the treasury the surplus, if any, of the aforesaid addition of ten or twenty per cent. as the case may be, after defraying the said charges.

SECT. 25. *And be it further enacted*, That the collectors designated as aforesaid, by the secretary of the treasury, shall deposit with the clerks of the district courts of the United States, in the respective states, and within which district the property lies, correct lists of the tracts of lands or other real property sold by virtue of this act, for nonpayment of taxes, together with the names of the owners, or presumed owners, of the purchasers of the same at the public sales aforesaid, and of the amount paid by such purchasers for the same. The owners, their heirs, executors, or administrators, or any person in their behalf, shall have liberty to redeem the lands or other property sold as aforesaid, within two years from the time of sale, upon payment to the clerk aforesaid, for the use of the purchaser, his heirs or assigns, of the amount paid by such purchaser for the said land or other real property, with interest for the same, at the rate of twenty per centum per annum, and of a commission of five per centum on such payment, for the use of the clerk aforesaid. The clerks shall, on application, pay to the purchasers the moneys thus paid for their use, and they shall give deeds for the lands or property aforesaid, to the purchasers entitled to the same, in all cases where the same shall not have been redeemed within two years as aforesaid, by the original owners thereof, or their legal representatives; and the said clerks shall be entitled to receive from the purchaser the sum of two dollars for every such deed, to be paid on the delivery thereof to such purchasers; and in all cases where lands may be sold under this act, for the payment of taxes belonging to infants, persons of insane mind, married women, or persons beyond sea, such persons shall have the term of two

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*Provided*; the payment must be made within one year, &c.

When the tax has remained unpaid for a year, &c. the collector designated by the secretary of the treasury, having first advertised, &c. is to proceed to sell as much of the property as will satisfy the taxes, with addition of 20 per cent. If the property cannot be sold for the amount, &c. the collector is to purchase it in behalf of the United States. The collector is to render a distinct account of the charges, and pay the surplus of the 10 or 20 per cent. into the treasury. The collectors designated by the secretary of the treasury to deposit with the clerks of the district courts correct lists of the property sold, &c. together with the names, &c.

The owners, their heirs, &c. may redeem the property sold, within two years, upon payment of the amount paid by the purchaser, with 20 per cent. interest, and a commission of 5 per cent. to the clerk. The clerks to pay the money, or make deeds, to the purchasers, &c.

The clerks to receive two dollars, for every deed.

Lands sold, &c. belonging to infants, insane persons, married women, &c. may



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be redeemed within two years after the disabilities of such persons are removed, on their paying the amount, &c. and ten per cent. and compensating the purchaser for improvements, &c.

The collectors to transmit to the secretary of the treasury monthly statements of collections, and pay over quarterly or sooner, &c.

Each of the collectors to complete his collection, &c. within six months, &c.

Provido; one year and three months allowed to collectors designated by the secretary of the treasury, &c.

Each collector to be charged with the whole amount of taxes, and allowed credit, &c.

Provido; as to diligence by the collector in cases of insolvency, &c. Each collector designated by the secretary of the treasury, to receive credit for tracts purchased in behalf of the United States. The comptroller of the treasury to issue warrants of distress against delinquent collectors directed to the marshal, &c.

years after their respective disabilities shall have been removed, or their return into the United States, to redeem lands thus sold, on their paying into the clerk's office aforesaid, the amount paid by the purchaser, together with ten per cent. per annum thereon; and on their paying to the purchaser of the land aforesaid a compensation for all improvements he may have made on the premises subsequent to his purchase, the value of which improvements to be ascertained by three or more neighboring freeholders, to be appointed by the clerk aforesaid, who, on actual view of the premises, shall assess the value of such improvements, on their oaths, and make a return of such valuation to the clerk aforesaid immediately.

SECT. 26. *And be it further enacted*, That the several collectors shall, at the expiration of every month after they shall respectively commence their collections, transmit to the secretary of the treasury a statement of the collections made by them, respectively, within the month, and pay over quarterly or sooner, if so required by the said secretary, the moneys by them respectively collected within the said term. And each of the said collectors shall complete the collection of all sums assigned to him for collection as aforesaid, shall pay over the same into the treasury, and shall render his final account to the treasury department, within six months from and after the day when he shall have received the collection lists from the principal assessor: *Provided, however*, That the period of one year and three months from the said day shall be allowed to the collector designated in each state as aforesaid, by the secretary of the treasury, with respect to the taxes contained in the list transmitted to him by the other collectors as aforesaid.

SECT. 27. *And be it further enacted*, That each collector shall be charged with the whole amount of taxes by him receipted, whether contained in the lists delivered to him by the principal assessor or transmitted to him by other collectors, and he shall be allowed credit for the amount of taxes contained in the lists transmitted in the manner above provided to other collectors, and by them receipted as aforesaid; and also for the taxes of such persons as may have absconded or become insolvent, subsequent to the date of the assessment, and prior to the day when the tax ought, according to the provisions of this act, to have been collected: *Provided*, It shall be proven, to the satisfaction of the comptroller of the treasury, that due diligence was used by the collector, and that no property was left from which the tax could have been recovered. And each collector designated in each state as aforesaid by the secretary of the treasury, shall receive credit for the taxes due for all tracts of land, which, after being offered for sale by him in the manner aforesaid, shall or may have been purchased by him in behalf of the United States.

SECT. 28. *And be it further enacted*, That if any collector shall fail either to collect or to render his account, or to pay over in the manner or within the times hereinbefore provided, it shall be the duty of the comptroller of the treasury, and he is hereby authorized and required, immediately after such delinquency, to

issue a warrant of distress against such delinquent collector and his sureties, directed to the marshal of the district, therein expressing the amount of the taxes imposed on the district of such collector, and the sums, if any, which have been paid; and the said marshal shall, himself, or by his deputy, immediately proceed to levy and collect the sum which may remain due, by distress and sale of the goods and chattels or any personal effects of the delinquent collector; and for want of goods, chattels, or effects, aforesaid, sufficient to satisfy the said warrant, the same may be levied on the person of the collector, who may be committed to prison, there to remain until discharged in due course of law; and furthermore, notwithstanding the commitment of the collector to prison as aforesaid, or if he abscond, and goods, chattels, and effects, cannot be found sufficient to satisfy the said warrant, the said marshal or his deputy shall and may proceed to levy and collect the sum which may remain due, by distress and sale of the goods and chattels, or any personal effects, of the surety or sureties of the delinquent collectors. And the amount of the sums committed to any collector for collection, as aforesaid, shall, and the same are hereby, declared to be a lien upon the lands and real estate of such collector and his sureties, until the same shall be discharged according to law; and for want of goods and chattels or other personal effects of such collector or his sureties, sufficient to satisfy any warrant of distress issued pursuant to the preceding section of this act, the lands and real estate of such collector and his sureties, or so much thereof as may be necessary for satisfying the said warrant, after being advertised for at least three weeks, in not less than three public places in the collection district, and in one newspaper printed in the county or district, if any there be, prior to the proposed time of sale, may and shall be sold by the marshal or his deputy; and for all lands and real estate sold in pursuance of the authority aforesaid, the conveyances of the marshals or their deputies, executed in due form of law, shall give a valid title against all persons claiming under delinquent collectors or their sureties aforesaid; and all moneys that may remain of the proceeds of such sale, after satisfying the said warrant of distress, and paying the reasonable costs and charges of sale, shall be returned to the proprietor of the lands or real estate sold as aforesaid.

SECT. 29. *And be it further enacted*, That each and every collector, or his deputy, who shall exercise or be guilty of any extortion or oppression, under color of this act, or shall demand other or greater sums than shall be authorized by law, shall be liable to pay a sum not exceeding three hundred dollars, to be recovered by and for the use of the party injured, with costs of suit, in any court having competent jurisdiction; and each and every collector and his deputies shall, if required, give receipts for all sums by them collected and retained in pursuance of this act.

SECT. 30. *And be it further enacted*, That there shall be allowed and paid for the services performed under this act: To each principal assessor, two dollars for every day employed in hearing appeals and making out lists agreeably to the provisions

The marshal to proceed by distress and sale against the delinquent collector.

For want of goods the collector may be committed to prison.

Notwithstanding the commitment of the collector to prison, &c. the marshal may proceed by distress and sale against the sureties.

The amount of sums committed to a collector for collection, to be a lien upon the real estate of him and his sureties, until, &c. For want of goods and chattels, the lands, &c. of the collector and his sureties, after being advertised, may be sold.

The conveyances of the marshal, &c. executed in due form, to give a valid title, &c.

Moneys remaining, after satisfying the warrant of distress, &c. to be returned to the proprietor of the lands, &c. sold.

Any collector, &c. guilty of extortion, &c. liable to pay not exceeding 300 dollars, &c.

Each collector, &c. if required, to give receipts.

Compensation of principal assessors.

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Compensation  
of assistant  
assessors.

Assessors allow-  
ed reasonable  
charges for  
books, &c.

The allowances  
to be paid at the  
treasury, to the  
principal as-  
sessor.  
180,000 dolls.  
appropriated.

Where no per-  
son can be found  
in a district to  
serve as collec-  
tor, &c. the pre-  
sident may ap-  
point one of the  
deputy postmas-  
ters, &c.

The deputy  
postmasters  
bound to perform  
the duties, &c.  
Separate ac-  
counts to be kept  
at the treasury  
of all moneys re-  
ceived from the  
direct tax and  
from internal  
duties, &c.

The amount of  
moneys from  
each state to be  
distinguished,  
&c.

The secretary of  
the treasury to  
lay the accounts  
before congress.

of this act, and four dollars for every hundred taxable persons contained in the tax list as delivered by him to the collector: To each assistant assessor, one dollar and fifty cents for every day actually employed in collecting lists and making valuations, the number of days necessary for that purpose being certified by the principal assessor and approved by the comptroller of the treasury, and three dollars for every hundred taxable persons contained in the tax list as completed and delivered by him to the principal assessor: And the assessors, respectively, shall be allowed their necessary and reasonable charges for books and stationery used in the execution of their duties.

SECT. 31. *And be it further enacted*, That the allowances made as aforesaid to the assessors, shall be paid at the treasury, to the principal assessors, respectively; for which purpose one hundred and fifty thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, are hereby appropri-  
ated.

SECT. 32. *And be it further enacted*, That, in cases where no person can be found in any collection district, or assessment district, to serve either as collector, principal assessor, or assistant assessor, respectively, the president of the United States is hereby authorized to appoint one of the deputy postmasters in such districts, to serve as collector or assessor, as the case may be; and it shall be the duty of such deputy postmaster to perform, accordingly, the duties of such officer.

SECT. 33. *And be it further enacted*, That whenever a direct tax shall be assessed, or internal duties laid, separate accounts of each shall be kept at the treasury of the United States, of all moneys received from the direct tax, and from internal duties, showing upon what articles, or subjects of taxation, those duties accrued; also the amount of moneys paid to collectors, assessors, assistant assessors, or other officers employed in the collection thereof; distinguishing the amount of moneys received from each state, and from what tax or species of duties received; and distinguishing, also, the amount of moneys paid to the officers in each state; which accounts it shall be the duty of the secretary of the treasury, annually, in the month of December, to lay before congress. [*Approved, July 22, 1813.*]

CHAP. 545. [XVII.] An act to regulate the allowance of forage to officers in the army of the United States.\*

[\* See note  
at the end of  
ch. 7 0, post.]

Officers entitled  
to forage, to re-  
ceive, in lieu,  
&c. an equiva-  
lent in money, at  
the rate of 8  
dolls. per month  
for each horse.  
Provided, no al-  
lowance for more  
horses than are  
actually em-  
ployed.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all officers in the military service of the United States, who are by law entitled to forage, shall receive in lieu thereof, when not drawn in kind, an equivalent in money, at the rate of eight dollars per month for each horse to which they may be entitled: *Provided*, That no allowance shall be made to any officer for more horses than he shall actually employ in the public service.

[*Approved, July 22, 1813.*]

CHAP. 546. [XVIII.] An act to establish the town of Mobile a port of entry. 1813.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the first day of August next, the town of Mobile shall be, and the same is hereby, established the sole port of entry for the district, including the shores, waters, and inlets, of the bay and river Mobile, and of the other rivers, creeks, inlets, and bays, emptying into the gulph of Mexico, east of the said river Mobile, and west thereof to the eastern boundary of the state of Louisiana. [Approved, July 22, 1813.]

After the 1st Aug. 1813, the town of Mobile established the sole port of entry for the district, including the shores, waters, &c.

CHAP. 547. [XIX.] An act for the relief of Edwin T. Satterwhite.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accountant of the navy department be, and he is hereby, authorized and required to assume the day of the departure of the United States' brig Vixen from a port in the United States, on her last cruize, as the day on which the account of said Edwin T. Satterwhite, the purser of said brig, shall be settled and balanced. And that the accountant of the navy department be authorized to pay to the said Edwin T. Satterwhite such sum as may be due for pay and commissions, previous to the said day of the sailing of the brig Vixen from a port in the United States, if in his judgment any such sum may be due. [Approved, July 22, 1813.]

[\*Private and obsolete. S. act of 31st March, 1814; chap. 639, post.] The accountant of the navy department required to assume the day of the departure of the Vixen, &c. as the day on which the account of Edwin T. Satterwhite, the purser, is to be settled, &c. The accountant authorized to pay Edwin T. Satterwhite such sum as may be due, &c. previous to the sailing of the Vixen, &c. &c.

CHAP. 548. [XX.] An act for the relief of Alexander Scott.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary for the department of state be directed to cause to be settled the accounts of Alexander Scott, for his trouble and expenses in liberating from confinement, in supplying with provisions and other necessaries, and in sending from Porto Cavello to the port of New York, the crew of the private armed schooner Rosamond, who were confined on board a Spanish armed vessel at that place: and also for his trouble and expenses in supplying with provisions and other necessaries, and in sending sundry distressed American seamen from Porto Rico to the port of New York; and that he allow the said Alexander Scott full reimbursement for all expenses incurred for the purposes aforesaid, and also such compensation for his trouble therein as may be deemed just and equitable.

[†Private and obsolete.]

The secretary of state directed to cause the accounts of Alexander Scott to be settled for his trouble, &c. in liberating, supplying, and sending from Porto Cavello to New York, the crew of the private armed schooner Rosamond, &c. and also, &c. and to allow him full reimbursement of expenses, and compensation, &c.

SECT. 2. *And be it further enacted,* That a sum not exceeding nine thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury, not otherwise appropriated, for the purposes aforesaid. [Approved, July 22, 1813.]

Not exceeding 9 000 dolls. appropriated for the purposes of this act.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* from and after the first day of January next, there be levied, collected, and paid, upon all sugar which shall be refined within the United States, a duty of four cents per pound.

A duty of 4 cents per lb. on sugar refined within the United States, after the 1st Jan. 1814. Every refiner of sugar, &c. 20 days previous to commencing the business, to make entry and report, in writing, to the collector, &c. of every building, pan, boiler, &c.

(\*Ante, ch. 544.)

Sugar refiners to give bond, with condition, &c.

Quarterly accounts of refined sugar sent out, &c.

Original book or paper of daily entries to be produced, &c.

The duties to be paid or secured at the time of rendering the accounts, &c. Refiners omitting to make entry or report, forfeit their pans or boilers and 500 dolls. &c. Every refiner to make oath that the accounts rendered have been just and true, &c.

SECT. 2. *And be it further enacted, That every refiner of sugar, who shall be such immediately before and on the first day of January next, shall, on the said day, and every refiner of sugar who shall be and become such after the said day, shall, twenty days at the least previous to commencing the business of refining sugar, make true and exact entry and report in writing to the collector, appointed by virtue of the act, entitled "An act for the assessment and collection of direct taxes and internal duties,"\* for the collection district in which shall be the house or building where he or she shall carry on, or intend to carry on, the said business, of every house or building where such business shall be by him or her carried on, or intended so to be, and of every pan or boiler, together with the capacity of each, which he or she shall have or employ for the purpose of refining sugar, and shall also give bond, in the sum of five thousand dollars, with condition that he or she shall and will enter, or cause to be entered, in a book or paper to be kept for that purpose, all sugar which he or she shall refine, or cause to be refined, and of the quantities; from day to day, by him or her sent out, or caused to be sent out, of the house or building where the same shall have been refined, and shall, on the first day of April, July, October, and January, in each year, render a just and true account of all the refined sugar which he or she shall have sent out, or caused or procured to be sent out, from the first time of his or her entry and report aforesaid, until the day which shall first ensue, of the days abovementioned, for the rendering of such account, and thenceforth, successively, from the time when such account ought to have been, and up to which it shall have been, last rendered, until the day next thereafter, of the days abovementioned, for the rendering of such account, producing and showing therewith the original book or paper, whereon the entries from day to day, to be made as aforesaid, have been made; and he or she shall, at the time of rendering each account, pay or secure the duties which by this act ought to be paid upon the refined sugar in the said account mentioned: And if any such refiner shall omit to make any such entry or report, he or she shall forfeit and lose every pan or boiler which he or she shall have and use for the purpose of refining sugar, and shall also forfeit the sum of five hundred dollars, to be recovered with costs of suit.*

SECT. 3. *And be it further enacted, That every such refiner shall, yearly, being thereunto required by the collector aforesaid, make oath or affirmation, according to the best of his or her knowledge and belief, that the accounts which have been by him or her*

rendered of the quantities of refined sugar by him or her sent out, or procured or caused to be sent out, of the house or building, where the same shall have been manufactured, have been just and true.

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SECT. 4. *And be it further enacted*, That if any person shall, knowingly and with design, falsely swear or affirm touching any of the matters hereinbefore required to be verified by oath or affirmation, he or she shall be deemed guilty of wilful and corrupt perjury.

Persons knowingly swearing false, deemed guilty of wilful and corrupt perjury.

SECT. 5. *And be it further enacted*, That every refiner of sugar shall, at each time of rendering an account, as hereinbefore required, make a true and particular report of the buildings, pans, and boilers, which he or she, at any time since that of rendering his or her last account, hath used or kept, and shall then have, use, or keep, for carrying on the said business of refining sugar, on pain of forfeiting, for each and every neglect or omission, all such pans and boilers, together with the sum of five hundred dollars, to be recovered with costs of suit.

Refiners, at each time of rendering an account, to report the buildings, pans, &c. used or kept, &c. since the last account, on pain of forfeiting the pans and boilers and \$500 dolls. &c.

SECT. 6. *And be it further enacted*, That all refined sugar which shall have been manufactured or made within the United States in manner aforesaid, after the said first day of January next, whereof the duties aforesaid have not been duly paid or secured, according to the true intent and meaning of this act, shall, upon default being made in the paying or securing of the said duties, be forfeited, and shall and may be seized as forfeited, by the collector aforesaid, or officer of the customs.

Refined sugar, &c. upon default of paying or securing the duties, are forfeited, and may be seized, &c.

SECT. 7. *And be it further enacted*, That it shall be lawful for every such refiner of sugar, at his or her option, either to pay, upon the rendering of his or her account as aforesaid, the duties which shall thereby appear to be due and payable, with a deduction or abatement of six per cent. for prompt payment, or to give bond, with one or more sureties, to the satisfaction of the collector to whom such account shall be rendered, for the payment of the said duties, at the expiration of nine months thereafter: *Provided*, That no person whose bond for any of the said duties shall remain unpaid beyond the term allowed for the payment thereof, shall be entitled to future credit for any of the said duties, so long as such bond shall remain unpaid.

Refiners of sugar may pay the duties upon rendering their accounts, with a deduction of 6 per cent. or give bond for their payment at the end of nine months.

Provido; no future credit until bonds due are paid.

SECT. 8. *And be it further enacted*, That the duties hereby laid upon sugar refined within the United States, shall and may be drawn back upon all such of the said sugar refined within the United States, after the aforesaid first day of January next, which, after the said day, shall be exported from the United States to any foreign port or place: *Provided*, That no drawback shall be allowed on any exportation as aforesaid, in any instance where the same shall amount to less than twelve dollars.

The duties laid upon refined sugar may be drawn back upon the exportation thereof to a foreign port, &c.

Provido; no drawback unless it amount to 12 dolls.

SECT. 9. *And be it further enacted*, That, in order to entitle the exporter or exporters to the benefit of the said allowance of drawback, he, she, or they, shall, previous to the putting or lading any of the said refined sugar on board of any ship or vessel for exportation, give six hours notice, at the least, to the proper officer of inspection of the port from which the said sugar shall

Exporters to give, to the proper officer of inspection, at least six hours' notice of the intention to export, &c.

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The officer to inspect the packages notified, &c. which are to be laden in the presence of the same officer, &c.

be intended to be exported, of his, her, or their, intention to export the same, and of the number of packages containing the same, and the respective marks thereof, and the place or places where deposited, and of the place to which, and ship or vessel in which, they, or either of them, shall be so intended to be exported; whereupon it shall be the duty of the said officer to inspect, by himself or deputy, the packages so notified for exportation, and the same, after such inspection, shall be laden on board the same ship or vessel of which notice shall have been given, and in the presence of the same officer or his deputy who shall have inspected the same, which officer, after the same shall have been so laden on board, shall certify to the collector of the customs for the district the quantity and particulars of the refined sugar so laden for exportation.

The allowance of drawback not to be made, unless the exporter makes oath, &c.

SECT. 10. *And be it further enacted*, That the said allowance shall not be made, unless the said exporter or exporters shall make oath or affirmation, that *the said sugar, so noticed for exportation and laden on board such ship or vessel, is truly intended to be exported to the place whereof notice shall have been given, and is not intended to be relanded within the United States, and that he or she doth verily believe that the duties thereupon charged by this act have been duly paid, or secured to be paid;* and shall also give bond, to the collector of the customs, with two sureties, one of whom shall be the master or other person having the command or charge of the ship or vessel, in which the said sugar shall be intended to be exported, the other such sufficient person as shall be approved by the said collector, in the full value, in the judgment of the said collector, of the sugar so intended to be exported, with condition that the said sugar (the dangers of the seas and enemies excepted) shall be really and truly exported to, and landed in, some port or place without the limits of the United States, and that the said sugar shall not be unshipped from on board the said ship or vessel whereupon the same shall have been laden for exportation, within the said limits, or any ports or harbors of the United States,) (shipwreck or other unavoidable accident excepted.)

Exporters to give bond with two sureties, &c.

Condition of the bond.

Drawback payable nine months after exportation. *Provided*; upon information given that the vessel will not proceed, or that the voyage is altered, the collector may grant a permit for relanding, &c.

SECT. 11. *And be it further enacted*, That the said allowance shall not be paid until nine months after the said sugar shall have been so exported: *Provided*, That whenever the owner of any ship or vessel on board of which any such sugar is laden for exportation, shall make known to the collector, previous to the departure of such ship or vessel from the port where such sugar is laden, that such ship or vessel is not going to proceed on the voyage intended, or the voyage is altered, it shall be lawful for the collector to grant a permit for relanding the same.

If any sugar, after being shipped for exportation, is unshipped within the limits of the United States, or within four leagues, &c. unless in case of distress, which is immediately to be made known,

SECT. 12. *And be it further enacted*, That if any of the said sugar, after the same shall have been shipped for exportation, shall be unshipped for any purpose whatever, either within the limits of the United States, or within four leagues of the coast thereof, or shall be relanded within the United States, from on board the ship or vessel wherein the same shall have been laden for exportation, unless the voyage shall not be proceeded on, or shall

be altered as aforesaid, or unless in case of necessity or distress, to save the ship and goods from perishing, which shall be immediately made known to the principal officer of the customs residing at the port nearest to which such ship or vessel shall be at the time such necessity or distress shall arise, then, not only the sugar so unshipped, together with the casks, vessels, and cases, containing the same, but also the ship or vessel, in or on board of which the same shall have been so shipped or laden, together with the guns, furniture, ammunition, tackle, and apparel, and also the ship, vessel, or boat, into which the said sugar shall be unshipped or put, after the unshipping thereof, together with her guns, furniture, ammunition, tackle, and apparel, shall be forfeited, and may be seized by any officer of the customs, or of inspection.

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The vessel, sugar, &c. are forfeited, and may be seized, &c.

SECT. 13. *And be it further enacted*, That the bond to be given as aforesaid shall and may be discharged, by producing, within one year from its date if the same shall be shipped to any part of Europe or America, and within two years, if shipped to any part of Asia or Africa; and if the delivery of the sugar, in respect to which the same shall have been given, be at any place where a consul or other agent of the United States resides) a certificate of such consul or agent; or, if there be no consul or agent, then a certificate of any two known and reputable American merchants, residing at the said place; and if there be not two such merchants residing at the said place, then a certificate of any other two reputable merchants, testifying the delivery of the said sugar at the said place; which certificate shall, in each case, be confirmed by the oath or affirmation of the master or mate, or other like officer, of the vessel in which the said sugar shall have been exported; and when such certificate shall be from any other than a consul or agent, or merchants of the United States, it shall be a part of the said oath or affirmation, that *there were not, upon diligent inquiry, to be found two merchants of the United States at the said place: Provided always*, That in case of death, the oath or affirmation of the party dying shall not be deemed necessary: *And provided further*, That the said oath or affirmation, taken before the chief civil magistrate of the place of the said delivery, and certified under his hand and seal, shall be of the same validity as if taken before a person qualified to administer oaths within the United States. Or such bonds shall and may be discharged upon proof that the sugar so exported was taken by enemies, or perished in the sea, or destroyed by fire; the examination and proof of the same being left to the judgment of the collector of the customs, naval officer, and chief officer of inspection, or any two of them, of the place from which such sugar shall have been exported. And in cases where the certificates herein directed cannot be obtained, the exporter or exporters of such sugar shall, nevertheless, be permitted to offer such other proof as to the delivery of the said sugar, without the limits of the United States, as he or they may have; and if the same shall be deemed sufficient by the said collector, he shall allow the same; except when the drawback to be allowed shall

The bond, in case of drawback, may be discharged, by producing, &c. a certificate from a consul or agent, or of two reputable merchants, &c. testifying the delivery of the sugar, &c.

This certificate to be confirmed by the oath of the master or mate, &c.

Part of the oath, in case of certificate by foreign merchants. *Providor*: the oath of a party dying not necessary.

*Providor*: the oath, if taken before the chief civil magistrate of the place of delivery, &c. to be as valid, &c. The bonds in case of drawback may be discharged upon proof that the sugar was taken by enemies, or perished in the sea, &c. the examination and proof to be left to the judgment of the collector, &c.

In cases where certificates cannot be obtained, the exporter may offer other proof, &c.

When the drawback amounts



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to 100 dols. the proofs to be referred to the comptroller, &c. The collectors, &c. to collect the duties, and to prosecute for the recovery of them, &c.

All fines, penalties, &c. incurred under this act, may be recovered in the name of the United States, or of the collector, &c. by bill, plaint, &c.

Where the cause of action arises more than 50 miles from the nearest established place of holding a district court, &c. the recovery may be had before a court of the state, &c.

This act to continue in force until the 17th Feb. 1816.

amount to one hundred dollars or upwards; in all which case the proofs aforesaid shall be referred to the comptroller of the treasury, whose decision thereon shall be final.

SECT. 14. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector aforesaid, within whose district any such fine, penalty, or forfeiture, shall have been incurred, by bill, plaint, or information; one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector, shall first discover, if other than a collector, shall first inform, of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state holden within the said district, having jurisdiction in like cases.

SECT. 15. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and for one year thereafter, and no longer. [Approved, July 24, 1813.]

CHAP. 550. [XXII.] An act to establish the office of commissioner of the revenue.

A commissioner of the revenue in the department of the treasury, for superintending the collection of taxes and duties, &c.

[\* See chap. 689, post.]

[† See sec. 4, ch. 581, post.] The commissioner to superintend the collection of the former direct tax, &c. and execute the services respecting lighthouses, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for superintending the collection of the direct tax and internal duties, laid by the authority of the United States, there shall be an officer in the department of the treasury, to be denominated commissioner of the revenue, who shall be charged, under the direction of the head of the department, with preparing all the forms necessary for the assessors and collectors of the tax and duties aforesaid; with preparing, signing,\* and distributing, all the licenses required by any law imposing any of the duties aforesaid; and with the superintendence, generally, of all the officers employed in assessing and collecting the said tax and duties.†

SECT. 2. *And be it further enacted*, That the said commissioner of the revenue shall, likewise, superintend the collection of the residue of the former direct tax and internal duties, which may be still outstanding, and shall also execute the services with respect to lighthouses, and other objects which were usually performed by the former commissioners of the revenue.

**SECT. 3.** *And be it further enacted,* That it shall be lawful for the secretary of the treasury to place, also, the collection of the duties on impost and tonnage under the superintendence of the said commissioner of the revenue, if, in his opinion, the public service will be promoted by transferring that duty from the comptroller to the said commissioner.

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The secretary of the treasury may place the collection of the duties on impost and tonnage under the superintendence of the commissioner, if, &c.

**SECT. 4.** *And be it further enacted,* That the compensation of the said commissioner of the revenue shall be the same with that of the auditor\* of the treasury; and that he shall, for the present, be allowed a number of clerks, whose salaries shall not, in the whole, exceed four thousand dollars a year.

The compensation of the commissioner to be the same as that of the auditor, &c. clerks, &c. [\*See chap. 365, vol. 3.]

**SECT. 5.** *And be it further enacted,* That a sum, not exceeding three thousand five hundred dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, be, and the same is hereby, appropriated, to pay the commissioner and salaries aforesaid, for the year one thousand eight hundred and thirteen.

Not exceeding 3,500 dolls. appropriated to pay the commissioner, &c. for the year 1813.

**SECT. 6.** *And be it further enacted,* That all letters and packets to and from the commissioner of the revenue shall be received and conveyed by post, free of postage, under the same restrictions as are provided by law with respect to other free letters and packets.† [Approved, July 24, 1813.]

Letters and packets to and from the commissioner to be received and conveyed free of postage, &c. [† See ante, sec. 24, ch. 262. See, also, sec. 10, of act of 18th April, 1814; chap. 679, post.]

**CHAP. 551. [XXIII.]** An act to continue in force for a limited time, certain acts authorizing corps of rangers for the protection of the frontier of the United States, and making appropriations for the same.‡

[‡ Obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the act, entitled "An act authorizing the president of the United States to raise certain companies of rangers for the protection of the frontier of the United States,"§ passed January second, one thousand eight hundred and twelve, and also the act supplementary thereto,|| passed July first, one thousand eight hundred and twelve, be, and the same are hereby, continued in force for one year from and after the passage hereof, and from thence to the end of the next session of congress.

Acts authorizing the president to raise certain companies of rangers, &c. continued until 3d March, 1815. [§ Ante, ch. 334. [|| Ante, ch. 442.]

**SECT. 2.** *And be it further enacted,* That the sum of four hundred and seventy-two thousand one hundred and forty-one dollars be, and the same is hereby, appropriated, for the pay, subsistence, and forage, during the year one thousand eight hundred and thirteen, of the seven companies of rangers raised, or to be raised, for the United States, pursuant to the above related acts, and of the ten companies of rangers authorized by the act of the twenty-fifth of February, one thousand eight hundred and thirteen.¶

472,141 dolls. appropriated for pay, subsistence, and forage, for the year 1813, [¶ Ante, ch. 495.]

For the pay of the officers, noncommissioned officers, and privates, of the said companies, the sum of four hundred and fifty-one thousand one hundred and eighty dollars.

For pay of officers and privates.

For the subsistence of the officers, eleven thousand one hundred and sixty-nine dollars.

For subsistence of officers.

For forage, the sum of nine thousand seven hundred and ninety-

For forage.

1813. two dollars. The said sums to be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, July 24, 1813.]

[\*See act of 15th Dec. 1814; chap. 694 post, by which this act is in part repealed, and supplied.]

Rates and duties upon carriages for the conveyance of persons, after the 31st Dec. 1813.

Proviso; nothing herein to charge with a duty any carriage usually and chiefly employed in husbandry, &c.

The duties to be levied on all carriages usually and chiefly employed for the conveyance of persons, &c.

In cases of doubt, the carriage deemed to belong to the class it most resembles, &c.

Every person keeping a carriage, &c. to make and subscribe, in January of each year, a true and exact entry, &c.

The entry to be lodged with the collector, &c.

[†Ante, ch. 544.]

The collectors to attend at a public and convenient place, give notice thereof, receive the entries, and,

CHAP. 552. [XXIV.] An act laying duties on carriages for the conveyance of persons.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* from and after the last day of December next, there shall be levied, collected, and paid, the following yearly rates and duties upon all carriages for the conveyance of persons, which shall be kept by or for any person, for his or her own use, or to be let out for hire, or for the conveyance of passengers; to wit: for and upon every coach, the yearly sum of twenty dollars; for and upon every chariot and postchaise, the yearly sum of seventeen dollars; for and upon every phaeton and on every coachee having pannel work in the upper division thereof, the yearly sum of ten dollars; for and upon every other four wheel carriage hanging on steel or iron springs, the yearly sum of seven dollars; for and upon every four wheel carriage hanging upon wooden springs and on every two wheel carriage hanging on steel or iron springs, the yearly sum of four dollars; and for and upon every other four or two wheel carriage, the yearly sum of two dollars: *Provided always,* That nothing herein contained shall be construed to charge with a duty, any carriage usually and chiefly employed in husbandry, or for the transportation or carrying of goods, wares, merchandise, produce, or commodities.

SECT. 2. *And be it further enacted,* That the duties aforesaid shall be levied and collected upon all carriages usually and chiefly employed for the conveyance of persons, by whatever name or description the same have been or shall hereafter be known and called. And in cases of doubt, any carriage shall be deemed to belong to that class to which the same shall bear the greatest resemblance, and shall be subject to duty accordingly.

SECT. 3. *And be it further enacted,* That every person having or keeping a carriage or carriages, upon which a duty or duties shall be payable, according to this act, shall, yearly and in every year, in the month of January, make and subscribe a true and exact entry of each and every such carriage, therein specifying, distinctly, each carriage owned or kept by him or her, for his or her use, or for hire, with the description and denomination thereof, and the rate of duty to which each and every such carriage is liable; which entry shall be lodged with the collector appointed by virtue of the act, entitled "An act for the assessment and collection of direct taxes and internal duties,"† for the district in which such owner or person liable for the payment of such duty shall reside. And that it shall be the duty of the collectors aforesaid to attend, within the month of January in each year, at one or more of the most public and convenient places in each county within their respective districts, and to give publi

notice, at least ten days previous to such day, of the time and place of such attendance, and to receive such entry, made in the manner before directed, at such place, or at any other where he may happen to be, within the said month of January; and on tender and payment being made of the duty or duties therein mentioned, to grant a certificate for each and every carriage mentioned in such entry, therein specifying the name of the owner, the description and denomination of the carriage, and the sum paid, with the time when, and the period for which, such duty shall be so paid: And the forms of the certificates to be so granted shall be prescribed by the treasury department; and such certificates, or the acknowledgments of the collector aforesaid, by a credit in his public accounts, shall be the only evidence to be exhibited, and admitted, that any duty imposed by this act has been discharged: *Provided, nevertheless*, That no certificate shall be deemed of validity any longer than while the carriage, for which the said certificate was granted, is owned by the person mentioned in such certificate, unless such certificate shall be produced to the collector by whom it was granted, and an entry shall be thereon made, specifying the name of the then owner of such carriage, and the time when he or she became possessed of the same.

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on payment of the duties, grant certificate, &c.

The forms of the certificates to be prescribed by the treasury department. The certificates, &c. to be the only evidence, &c. *Proviso*; no certificate of validity any longer than the carriage for which it was granted is owned by the person mentioned in it, unless, &c.

**SECT. 4.** *And be it further enacted*, That any and all persons who shall commence the having or keeping of any carriage subject to duties, after the month of December, shall and may, at any time during the month in which they shall so commence the having or keeping of such carriage, make like entry in manner before prescribed; and on payment of such proportion of the duties laid by this act, on such carriage, as the time at which he shall commence the keeping of such carriage to the end of the month of December then next ensuing, shall bear to the whole, he shall be entitled to and may demand like certificates, subject nevertheless, to the conditions before and hereinafter provided.

Persons who commence the keeping of carriages after the month of December, any time during the month in which they commence, &c. to make entry, and, on payment of such proportion of duties, be entitled to certificates, &c.

**SECT. 5.** *And be it further enacted*, That any person having or keeping any carriage subject to duty, who shall make an untrue or defective entry, to evade the whole or any part of the duty payable, and truly payable according to this act, shall lose the sum of the duties so payable pursuant to such untrue or defective entry; and where such untrue or defective entry hath been made, or where no entry shall be made, or where there shall be a neglect of payment after entry, such person shall, moreover, in addition thereto, at any time thereafter, on personal application and demand, at the house, dwelling, or usual place of abode, of such person, by the proper collector, be liable, and shall pay, the duties by this act imposed, and a further sum, for the benefit of such officer, of twenty-five per centum; which duties, with the said addition, shall be collected by distress and sale of the goods and chattels of the person by whom the same shall be due and payable: *Provided* always, That such application and demand, shall not be made until sixty days after the day on which any duty shall commence: and if entry and payment shall be made within the said sixty

Persons making an untrue or defective entry, to evade the duty, to lose the sum paid, &c.

In case of defective entry, or of no entry, or neglect of payment after entry, persons are liable to pay the duties, and 25 per cent. for the benefit of the officer, &c.

The duties, &c. to be collected by distress, &c.

*Proviso*; application and demand by the collector not to be made until 60 days after the duty commences; and, if, &c.

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days, the owner of the carriage shall be exempted from the payment of the said sum of twenty-five per centum.

Where duties are collected, by distress or otherwise, certificates are to be granted, &c.

This act to continue until the 17th Feb. 1816.

SECT. 6. *And be it further enacted*, That in all cases where any duty shall be collected pursuant to this act, whether by distress or otherwise, certificates shall be granted for each carriage in manner as before prescribed.

SECT. 7. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and for one year thereafter, and no longer. [Approved, July 24, 1813.]

CHAP. 553. [XXIV.] An act laying duties on licenses to distillers of spirituous liquors.\*

[\* See act of 21st Dec. 1814; chap. 697, post, by which this act, with some alterations, is continued.]  
Owners, &c. of stills or implements for distilling spirituous liquors, to apply to, and obtain from, the collector or his deputy, a license, &c. before they begin to use their stills, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That every person who, on the first day of January next, shall be the owner of any still or stills, or other implements in lieu of stills, used for the purpose of distilling spirituous liquors, or who shall have such still or stills, or implements as aforesaid, under his superintendence, either as agent for the owner, or on his own account, shall, before the said day, and every person who, after the said day, shall use, or intend to use, any still or stills, or implements as aforesaid, either as owner, agent, or otherwise, shall, before he shall begin to use such still or stills, or other implements in lieu thereof, for the purpose of distilling spirituous liquors, apply for and obtain from the collector appointed by virtue of the act, entitled "An act for the assessment and collection of direct taxes and internal duties,"† for the collection district in which such person resides (or to the deputy of such collector duly authorized) a license for using the said still or stills, or other implements as aforesaid; which licenses, respectively, shall be granted, at the option of the proprietor or possessor of such still or stills, for any or either of the terms mentioned in this act, upon the payment, in money, by such proprietor or possessor, of the duties payable on the said license or licenses, according to the provisions of this act, if the said duties shall not exceed five dollars; and if they shall exceed five dollars, on such proprietor or possessor executing and delivering to the collector, or to his deputy as aforesaid, a bond, with one or more sureties, to the satisfaction of such collector or deputy, conditioned for the payment of said duties at the end of four months after the expiration of the term for which such license or licenses, respectively, shall have been granted. And the said bond shall be taken in the name of the United States of America, and in such form as shall be prescribed by the treasury department. And if any person shall, after the said first day of January next, use, or cause to be used, any still or stills, or other implements as aforesaid, in distilling spirituous liquors, or shall be the owner of, or have under his superintendence, either as agent or otherwise, any still

The licenses to be granted, for either of the terms mentioned, &c. on payment of the duties; if not exceeding 5 dolls. and if above that sum, on bond to pay at the end of four months after the expiration of the term of the licenses, &c.

Persons using stills, &c. without license for the whole time, &c. to forfeit and pay 100 dolls.

[† Ante, ch. 544.]

or stills, or other implements as aforesaid, which shall, after the said day, have been used as aforesaid, without having a license therefor as aforesaid, continuing in force for the whole time during which the said still or stills, or implements as aforesaid, shall have been thus used, every such person shall forfeit and pay the sum of one hundred dollars, together with double the amount of duties which would have been payable for the term during which such still or stills, or implements as aforesaid, shall be thus used, had the said still or stills, or implements aforesaid, been entered according to the provisions of this act, to be recovered with costs of suit.

**SECT. 2.** *And be it further enacted,* That the licenses aforesaid shall and may be granted for and during the following terms or periods, and on the payment, or securing of payment as aforesaid, of the duties undermentioned, namely:

Terms of licenses and amount of duties.

For a still or stills employed in distilling spirits from domestic materials, for a license for the employment thereof for and during the term of two weeks, nine cents for each gallon of the capacity of every such still, including the head thereof; for a license for and during the term of one month, eighteen cents for each gallon of its capacity as aforesaid; for a license for and during the term of two months, thirty-two cents for each gallon of its capacity as aforesaid; for a license for and during the term of three months, forty-two cents for each gallon of its capacity as aforesaid; for a license for and during the term of four months, fifty-two cents for each gallon of its capacity as aforesaid; for a license for and during the term of six months, seventy cents for each gallon of its capacity as aforesaid; for a license for one year, one hundred and eight cents for each gallon of its capacity as aforesaid: *Provided,* That there shall be paid upon each still employed wholly in the distillation of roots, but one-half the rates of duties abovementioned, according to the capacity of such still.

Provided, upon each still employed wholly in the distillation of roots, only half the rates, &c.

For a still or stills employed in distilling spirits from foreign materials, for a license for the employment thereof for and during the term of one month, twenty-five cents for each gallon of the capacity of every such still, including the head thereof; for a license for and during the term of three months, sixty cents for each gallon of its capacity as aforesaid; for a license for and during the term of six months, one hundred and five cents for each gallon of its capacity as aforesaid; for a license for one year, one hundred and thirty-five cents for each gallon of its capacity as aforesaid.

And for every boiler, however constructed, employed for the purpose of generating steam in those distilleries where wooden or other vessels are used instead of metal stills, and the action of steam is substituted to the immediate application of fire to the materials from which the spirituous liquors are distilled, for a license for the employment thereof, double the amount on each gallon of the capacity of the said boiler, including the head thereof; which would be payable for the said license if granted for the same term and for the employment on the same materials of a still or stills to the contents of which, being the materials

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Collectors to grant licenses.

Licenses to be marked, signed by the commissioner of the revenue, countersigned, &c.

The application in writing for a license, &c. to state the place of distilling, number and contents of the stills, &c.

Persons making a false statement, or distilling spirituous liquors from materials other than those, &c. to forfeit and pay 150 dolls.

A collector, or authorized deputy, may apply, at reasonable times, for admittance into any distillery, &c. for the purpose of examining, &c. Owners of distilleries, &c. refusing to admit the officer, &c. forfeit 500 dolls.

Collectors to collect the duties and to prosecute for their recovery, &c.

All fines, &c. may be recovered in the name of the United States, or of the collector, by bill, plaint, &c.

Where the cause of action arises

from whence the spirituous liquors are drawn, an immediate application of fire during the process of distillation is made.

SECT. 3. *And be it further enacted*, That it shall be the duty of the collectors, within their respective districts, to grant licenses for distilling, which licenses shall be marked with a mark directing the rate of duty thereupon, and shall be signed by the commissioner of the revenue, and being countersigned by the collector who shall issue the same or cause the same to be issued, shall be granted to any person who shall desire the same, upon application in writing, and upon payment or securing of payment, as aforesaid, of the sum or duty payable by this act upon each license requested.

SECT. 4. *And be it further enacted*, That the application in writing, to be made by any person applying for a license for distilling as aforesaid, shall state the place of distilling, the number and contents of the still or stills, boiler or boilers, and whether intended to distil spirituous liquors from foreign or domestic materials. And every person making a false statement in either of the said particulars, or who shall distil spirituous liquors from materials other than those stated in the application aforesaid, as well as to the owner or superintendent of any distillery, still, or stills, with respect to which such false statement shall have been made, or which shall be thus unlawfully employed, shall forfeit and pay the sum of one hundred and fifty dollars, to be recovered with costs of suit.

SECT. 5. *And be it further enacted*, That every such collector, or his deputy duly authorized under his hand and seal, shall be authorized to apply, at all reasonable times, for admittance into any distillery, or place where any still or stills are kept or used, within his collection district, for the purpose of examining and measuring the said still or stills, boiler or boilers. And every owner of such distillery, still, or stills, or person having the care, superintendence, or management of the same, who shall refuse to admit such officer as aforesaid, or to suffer him to examine and measure the said still or stills, boiler or boilers, shall, for every such refusal, forfeit and pay the sum of five hundred dollars.

SECT. 6. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture, shall have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector, shall first discover, if other than a collector, shall first inform, of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred; and where the cause of action or com-

plaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court within the district in which the same shall arise or accrue; such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

**SECT. 7.** *And be it further enacted,* That this act shall continue in force until the termination of the war in which the United States are now engaged with Great Britain and Ireland, and their dependencies, and for one year thereafter, and no longer. [*Approved, July 24, 1813.*]

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more than 50 miles from the nearest place for holding district court, &c. the recovery may be had before any court of the state, &c.  
This act to continue in force until 17th Feb. 1816.

**CHAP. 554 [XXV.]** An act laying duties on sales at auction of merchandise and of ships and vessels.\*

[\*See act of 23d Dec. 1814; chap. 606, post. by which the duties laid by this act are raised.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, from and after the first day of January next, there shall be levied, collected, and paid, for the use of the United States, upon all sales by way of auction, as hereinafter described, which shall be made within the United States, the respective rates and duties following, to wit: The sum of one dollar for every hundred dollars of the purchase money arising by sale at auction of goods, wares, and merchandise; and the sum of twenty-five cents for every hundred dollars of the purchase money arising by sale at auction of ships or vessels; and at the same rate for any greater or lesser sum, except as hereinafter excepted; the said respective rates and duties to be paid by the auctioneer or person making such sales at auction, out of the moneys arising from each and every such sale: *Provided always,* That nothing in this act contained shall extend to any sale or sales by auction of goods, wares, and merchandise, made pursuant to, or in execution of, any rule, order, decree, sentence, or judgment, of any court of the United States, or either of them, or made in virtue or by force of any distress for rent, or other cause for which a distress is allowed by law; or made in consequence of any bankruptcy or insolvency, pursuant to any law concerning bankruptcies or insolvencies; or made in consequence of any general assignment of property and effects for the benefit of creditors; or made by or on behalf of executors or administrators, or made pursuant to the directions of any law of the United States, or either of them, touching the collection of any tax or duty, or disposal by auction of public property of the United States, or of any state; nor to any such sale or sales by auction of ships, their tackle, apparel, and furniture, or the cargoes thereof, which shall be wrecked or stranded within the United States, and sold for the benefit of the insurers or proprietors thereof.

Rates and duties upon all sales by way of auction, after the 1st Jan. 1814.

The duties to be paid out of the moneys arising from each sale.

Proviso: enumeration of cases to which the rates and duties imposed by this act do not extend.

**SECT. 2.** *And be it further enacted,* That no person, after the first day of January next, shall exercise the trade or business of an auctioneer, by the selling of any goods, wares, and merchandise, whatsoever, by auction, or any other mode of sale, whereby the best or highest bidder is deemed to be the purchaser, unless

No person to exercise the business of an auctioneer, unless he has a license, &c. on pain of forfeiting, for every sale, 400



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dolls. and the duties payable, &c.  
 Previous nothing herein to require a license for the sale at auction of any estate, &c. exempted from duty.

Every person who has a license pursuant to the law of a state, to give written notice thereof within 30 days to the collector, specifying, &c. and to give bond to render quarterly accounts of moneys for which goods, &c. have been sold, &c.

[ Ante, ch. 544.]

SECT. 3. *And be it further enacted,* That every person who, before the said first day of January next, shall have a license or special authority, pursuant to any law of any state, for exercising the said trade or business of an auctioneer, shall, before or upon the said day, and every person who, after the said day, shall have such special license or authority, shall, within thirty days after the obtaining or receiving of the same, give notice thereof, in writing, under his hand, to the collector appointed by virtue of the act, entitled "An act for the assessment and collection of direct taxes and internal duties,"\* for the district where such person shall carry on, or intend to carry on, the said trade or business of an auctioneer, specifying in such notice the date or commencement of such license, or other special authority, the term for which the same was granted or given, by whom, and by what law of a state the same was granted or given; and shall also give bond to the United States, in a sum not less than one thousand, nor more than three thousand, dollars, at the discretion of the collector, to be taken by the collector to whom the notice aforesaid shall be given, with condition that he will, on the first day of April, July, October, and January, in each year, while he shall continue to exercise the said trade or business, render to the person or persons who, on behalf of the United States, shall be authorized to receive the same, a true and particular account, in writing, of the moneys or sums for which any goods, wares, and merchandise, made liable to duty by this act, have been sold at every sale at auction by him made, and of the several articles, lots, and parcels, which shall have sold, the price of each article, lot, or parcel, in every such sale, by whom bought, that is to say: first, from the date of such bond until such of the aforesaid days as shall accrue next thereafter, and thenceforth from the day to which an account shall have been last rendered until such of the said days as shall next thereafter ensue, and so on in succession, from one of the said days to another, so long as he shall continue to exercise his said trade or business; and also shall pay all such sums of money as shall be due to the United States, upon the said sales, according to the true intent and meaning of this act, which sums he is hereby authorized and directed to retain out of the produce of each sale made as aforesaid. And a like notice and bond shall be given in like manner, as often as any such license or special authorities shall have expired and been renewed. And if any person shall, after the said first day of January next, by virtue or color of any such license, or special authority

Persons making any sale at auction in virtue of

as aforesaid, make any sale or sales at auction without having given bond as aforesaid, within the time for that purpose prescribed, or without renewing such bond upon the expiration and renewal of any such license, or special authority, he shall forfeit and pay, for every such sale by him made, the sum of four hundred dollars, together with the sums or duties payable by this act upon the goods, wares, and merchandise, so sold.

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a license under a state law, without having given bond, &c. to forfeit and pay, for every sale, 400 dollars together with the duties payable, &c.

**SECT. 4.** *And be it further enacted,* That the several collectors aforesaid may, within their respective districts, and upon request of any person or persons desirous thereof, shall, grant licenses without fee or reward, for a term not exceeding one year, at one time, to exercise the trade or business of an auctioneer; and such licenses, upon like request, may and shall, from time to time, renew: *Provided, however,* That no such license shall be granted or renewed, until the person or persons requesting the same shall have become bound to the United States, with one or more sureties, to the satisfaction of the collector of whom such license shall be requested, in the sum of not more than three thousand, nor less than one thousand, dollars, at the discretion of the collector, with like condition as is hereinbefore prescribed for persons having licenses by virtue of some law of a state: *And provided further,* That no such license shall be granted to carry on the said trade or business in any city, town, or county, of any state, in respect to which provision hath been made by any law of such state, for the allowing and regulating of the said trade and business therein.

Collectors to grant licenses, for not exceeding a year, without fee, &c.

Proviso; no license to be granted, &c. until the persons requesting them have become bound, &c.

Proviso; no license to be granted, &c. in any city, &c. where provision hath been made by the law of a state, &c.

**SECT. 5.** *And be it further enacted,* That every person who shall have a license from a collector as aforesaid, continuing in force, shall and may retain, in order to the payment of the duties hereby imposed, all such sum and sums of money as shall be due and payable upon any goods, wares, and merchandise, by him sold at auction as aforesaid, according to the true intent and meaning of this act.

Licensed persons may retain in their hands such sums as are due upon the goods sold by them, in order to the payment of the duties.

**SECT. 6.** *And be it further enacted,* That the accounts to be rendered, and duties to be, from time to time, paid as aforesaid by any auctioneer, shall be rendered and paid to the collector aforesaid, within whose district such auctioneer shall exercise his said trade or business, or to his deputy duly appointed under his hand and seal, and such auctioneer shall make oath or affirmation, *according to the best of his knowledge and belief,* to the truth of every account which he shall render before the officer or person to whom such account shall be rendered, and who is hereby authorized to administer the said oath or affirmation, in default of which such account shall not be deemed to be duly rendered, according to the condition of the bond of such auctioneer; and to the end that such accounts may be accurately kept and rendered, it is hereby made the duty of every auctioneer to enter, from day to day, as often as any sale shall be made, in a book, or on a paper to be kept by him for that purpose, the amount and particulars of the respective sales by him made; which book or paper shall, at all reasonable times, upon request made, be submitted for examination to the collector aforesaid,

Accounts to be rendered, and duties to be paid, to the collector or his deputy.

The auctioneer to make oath to the truth of every account.

The auctioneer to make daily entries of sales in a book, &c. to be submitted for examination, on pain of forfeiting 500 dolls.

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within whose district such auctioneer shall be, on pain of forfeiting, for every refusal to comply with such request, the sum of five hundred dollars.

If it appears that an auctioneer hath acted agreeably to the condition of his bond, &c. If may, on its expiration, be delivered up; the collector, otherwise, to cause it to be prosecuted.

In case of a verdict, &c. against the defendant, he will, afterwards, &c. be liable for acting as an auctioneer without license.

Every auctioneer to be allowed a commission of one per cent. upon the amount of duties, &c.

Persons wilfully swearing falsely, &c. to suffer as for wilful and corrupt perjury.

[\* See sec. 18, ch. 36, vol. 2.] If an officer, he forfeits his office, &c.

The collectors to collect the duties, and prosecute for their recovery, &c.

All fines, &c. may be recovered in the name of the United States, or of the collector, &c. by bill, plaint, &c.

Where the cause of action arises more than 50 miles from the nearest place for holding a district court, the recovery may be had before the court of a state, &c.

This act to continue in force until the 17th Feb. 1816.

SECT. 7. *And be it further enacted*, That if it shall appear to the satisfaction of the collector, within whose district he shall be, that an auctioneer hath acted agreeably to the condition of the bond which he shall have given, and to the directions of this act, during the time to which his said bond shall relate, the same having expired, then and in every such case, the said collector shall cause such bond to be delivered up; but in case no such account shall be delivered as hereinbefore mentioned, or if it shall appear that any such account was not truly made, or that the party hath acted in any other respect contrary to the true intent and meaning of his bond and of this act, it shall be the duty of such collector as aforesaid, to cause such bond to be prosecuted according to law; and, in case of a verdict or judgment against the defendant, he shall afterwards, upon every sale by him of any goods, wares, and merchandise, at auction, be liable to all the penalties which may be incurred by this act, for acting as an auctioneer without license.

SECT. 8. *And be it further enacted*, That every auctioneer, out of the proceeds of the duties which he shall retain and pay as aforesaid, shall be allowed a commission of one per centum upon the amount thereof, for his trouble in and about the same.

SECT. 9. *And be it further enacted*, That if any person shall wilfully swear or affirm falsely, touching any matter hereinbefore required to be verified by oath or affirmation, he shall suffer the pains and penalties which, by law, are prescribed for wilful and corrupt perjury;\* and, if an officer, shall forfeit his office, and be incapable of afterwards holding any office under the United States.

SECT. 10. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture, shall have been incurred, by bill, plaint, or information; one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector, shall first discover, if other than a collector, shall first inform, of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court, within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

SECT. 11. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great

Britain and Ireland, and the dependencies thereof, and for one year thereafter, and no longer. [Approved, July 24, 1813.] 1813.

CHAP. 555. [XXVI.] An act to authorize the raising a corps of sea fencibles.\*

[\*Repealed, by act of 27th Feb. 1814; chap. 746, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to raise, for such term as he may think proper, not exceeding one year, as many companies of sea fencibles as he may deem necessary, not exceeding ten, who may be employed as well on land as on water, for the defence of the ports and harbors of the United States.

The president authorized to raise not more than ten companies of sea fencibles for a term not exceeding one year, to serve on land or water, &c.

SECT. 2. *And be it further enacted,* That each of the said companies of sea fencibles shall consist of one captain, one first, one second, and one third, lieutenant, one boatswain, six gunners, six quarter gunners, and ninety men.

Organisation of a company of sea fencibles.

SECT. 3. *And be it further enacted,* That the commissioned officers shall receive the same pay and rations as officers of the same grade in the army of the United States; that the boatswains, gunners, quarter gunners, and men, shall receive the same pay and rations as warrant officers of the same grade and able seamen receive in the service of the United States.

Commissioned officers to receive the same pay, &c. as officers in the army. Boatswains, gunners, men, &c. the same pay as warrant officers and able seamen, &c.

SECT. 4. *And be it further enacted,* That the officers, warrant officers, boatswains, and men, raised pursuant to this act, shall be entitled to the like compensation in case of disability incurred by wounds, or otherwise, in the service of the United States, as officers, warrant officers, and seamen, in the present naval establishment, and shall be subject to the rules and articles which have been, or may hereafter be, established by law, for the government of the army of the United States.

Officers, men, &c. entitled to the same compensation, in case of disability, &c. as officers, seamen, &c. in the naval establishment; and to be subject to the rules and articles for the government of the army.

SECT. 5. *And be it further enacted,* That this act shall be and continue in force during the present war between the United States of America and their territories, and the United Kingdom of Great Britain and Ireland, and the dependencies thereof.

This act to continue in force until the 17th Feb. 1815.

SECT. 6. *And be it further enacted,* That, in the recess of the senate, the president of the United States is hereby authorized to appoint all the officers proper to be appointed under this act, which appointments shall be submitted to the senate at their next session, for their advice and consent.

The president may appoint the officers in the recess, &c. to be submitted, &c.

SECT. 7. *And be it further enacted,* That the sum of two hundred thousand dollars be, and the same is hereby, appropriated to carry this act into effect, to be paid out of any money in the treasury, not otherwise appropriated.

\$200,000 dollars appropriated to carry this act into effect, &c.

[Approved, July 26, 1813.]

CHAP. 556. [XXVII.] An act for the relief of Elisha J. Winter.†

[†Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That

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The proper accounting officers authorized to adjust the claim of Elisha J. Winter, for a pair of horses, with a sleigh, &c. taken for the use of the army, and allow him therefor, &c.  
143 dolls. appropriated for satisfying the claim of Elisha J. Winter.

the proper accounting officers be authorized to adjust and liquidate the claim of Elisha J. Winter, of the state of New York, for a pair of horses, with a sleigh and harness, taken from him for the use of the army of the United States, in the month of March last, and, on due examination, to allow him therefor such amount as may appear equitable.

SECT. 2. *And be it further enacted*, That the sum of one hundred and forty-three dollars be, and the same is hereby, appropriated, out of any money in the treasury, not otherwise appropriated, for satisfying the claim of the said Elisha J. Winter.

[Approved, July 26, 1813.]

[\*Obsolete.]

CHAP. 557. [XXVIII.] An act making an appropriation for finishing the senate chamber and repairing the roof of the north wing of the capitol.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That a sum, not exceeding nine thousand five hundred dollars, be, and the same is hereby, appropriated, to be applied under the direction of the president of the United States, to finishing the senate chamber, and repairing the roof of the north wing of the capitol; which sum shall be paid out of any money in the treasury, not otherwise appropriated. [Approved, July 26, 1813.]

Not exceeding 9,500 dolls. appropriated, &c. to finishing the senate chamber, and repairing the roof of the north wing of the capitol, &c.

[†Obsolete.]

CHAP. 558. [XXIX.] An act to provide for the accommodation of the household of the president of the United States.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized to cause to be sold such part of the furniture and equipage belonging to his household as may be decayed and out of repair; and that the sum of fourteen thousand dollars, together with the proceeds of such sales, be appropriated for the accommodation of the household of the president of the United States, to be laid out at his discretion and under his direction.

[Approved, July 26, 1813.]

The president authorized to cause to be sold such part of the furniture, &c. belonging to his household as may be decayed, &c.  
14,000 dolls. and the proceeds of the sales appropriated for the accommodation of the household of the president.

CHAP. 559. [XXX.] An act fixing the time for the next meeting of congress.

[This act provides that the next meeting of congress shall be on the first Monday in December, 1813.]

[Approved, July 27, 1813.]

[‡Private.]

CHAP. 560. [XXXI.] An act for the relief of Thomas Denny.‡

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That Thomas Denny, who imported and introduced into the United

Thomas Denny, who imported from the d. per-

States, from the dependencies of the United Kingdom of Great Britain and Ireland, a quantity of card wire, part whereof has been so introduced since the twenty-seventh day of February last past, shall be entitled to, and may avail himself of, all the benefits, privileges, and provisions, of the act, entitled "An act directing the secretary of the treasury to remit certain fines, penalties, and forfeitures, therein mentioned,"\* passed on the said twenty-seventh day of February, in like manner, and under the same conditions, as though the same card wire had been introduced into the United States prior to the passing of the act aforesaid. [Approved, July 28, 1813.]

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dependencies of Great Britain, a portion of card wire, since the 27th Feb. 1813, may avail himself of the benefits of the act directing the secretary of the treasury to remit certain fines, &c. [Ante, chap. 498.]

CHAP. 561. [XXXII.] An act to authorize the transportation of certain documents free of postage.†

[† Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the members of congress, the secretary of the senate, and clerk of the house of representatives, be, and they are hereby, respectively, authorized to transmit, free of postage, the message of the president of the United States, of the twelfth day of July, one thousand eight hundred and thirteen, and the documents accompanying the same, printed by order of the senate and by order of the house of representatives, and the report of the committee of foreign relations on the same, printed by order of the house of representatives, to any post office within the United States, and the territories thereof, to which they may direct, any law to the contrary notwithstanding.

The members of congress, secretary of the senate, and clerk of the house, authorized to transmit, free of postage, the message of the president of the 12th July, 1813, accompanying documents, and the report of the committee of foreign relations, &c.

[Approved, July 28, 1813.]

CHAP. 562. [XXXIII.] An act for the relief of the owners of the ships called the Good Friends, the Amazon, and the United States, and their cargoes; and also of Henry Bryce.‡

[‡ Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the owners of the ships called the Good Friends, the Amazon, and the United States, and of the cargoes on board said vessels, which vessels arrived in the month of April, one thousand eight hundred and twelve, in the district of Delaware, from Amelia Island, with cargoes that were shipped on board said vessels in the United Kingdom of Great Britain and Ireland, shall be entitled to, and may avail themselves of, all the benefits, privileges, and provisions, of the act, entitled "An act directing the secretary of the treasury to remit fines, forfeitures, and penalties, in certain cases,"§ passed on the second day of January last past, in like manner, and on the same conditions, as though said vessels had departed from the kingdom aforesaid between the twenty-third day of June, and the fifteenth day of September, mentioned in said act, and had arrived within the United States after the first day of July last.

The owners of the ships the Good Friends, the Amazon, and the United States, and of the cargo, &c. may avail themselves of the benefits of the act directing the secretary of the treasury to remit fines, &c. in like manner, &c. as if they had departed from Great Britain between the 23d of June and 15th of September, &c. [Ante, chap. 472.]

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Henry Bryce, of Charleston, who imported certain goods, &c. in the ship *Fernandina*, from Amelia Island, &c. entitled to the provisions of the act directing the secretary of the treasury to remit fines, &c. as though the vessel had departed from Great Britain between the 23d of June and 18th of September, &c.

[\* Ante, ch. 472.]

**SECT. 2.** *And be it further enacted, That Henry Bryce, of Charleston, South Carolina, who imported certain goods, wares, and merchandise, in the ship *Fernandina*, into the district of South Carolina, from Amelia Island, in the month of May, one thousand eight hundred and twelve, shall be entitled to, and may avail himself of, all the benefits, privileges, and provisions, of the act, entitled "An act directing the secretary of the treasury to remit fines, forfeitures, and penalties, in certain cases,"\* passed on the second day of January last past, in like manner, and on the same conditions, as though the said vessel had departed from the kingdom of Great Britain between the twenty-third day of June and the fifteenth day of September, mentioned in said act, and had arrived within the United States after the first day of July last. [Approved, July 29, 1813.]*

**CHAP. 563. [XXXIV.]** An act laying a duty on imported salt; granting a bounty on pickled fish exported, and allowances to certain vessels employed in the fisheries.†

[† This act is limited to 17th Feb. 1816.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That, from and after the first day of January next, a duty of twenty cents per bushel shall be laid, imposed, and collected, upon all salt imported from any foreign port or place into the United States. In calculating the said duty, every fifty-six pounds of salt shall be computed as equal to one bushel. And the said duty shall be collected in the same manner, and under the same regulations, as other duties laid on the importation of foreign goods, wares, and merchandise, into the United States: Provided, That drawback shall in no case be allowed, and the term of credit for the payment of duties shall be nine months.*

A duty of 20 cents per bushel on imported salt, after the 1st January, 1814, &c. \$614a. to the bushel. The duty to be collected as other duties.

Proviso; no drawback, and the term of credit nine months.

30 cents per barrel bounty on all pickled fish, &c. exported after the 31st Dec. 1814.

Proviso; the exporter, in order to be entitled to the bounty, to make entry with the collector and naval officer, &c.

Proof that the fish are of the fisheries of the United States, &c.

No entry to be received of pickled fish not inspected, &c.

**SECT. 2.** *And be it further enacted, That, on all pickled fish of the fisheries of the United States, exported therefrom subsequent to the last day of December, one thousand eight hundred and fourteen, there shall be allowed and paid a bounty of twenty cents per barrel, to be paid by the collector of the district from which the same shall be so exported, without any deduction or abatement: Provided always, That, in order to entitle the exporter or exporters of such pickled fish to the benefit of such bounty or allowance, the said exporter or exporters shall make entry with the collector and naval officer of the district from whence the said pickled fish are intended to be exported; and shall specify in such entry the names of the master and vessel in which, and the place where, such fish are intended to be exported, together with the particular quantity; and proof shall be made, to the satisfaction of the collector of the district from which such pickled fish are intended to be exported, and of the naval officer thereof, if any, that the same are of the fisheries of the United States; and no entry shall be received, as aforesaid, of any pickled fish which have not been inspected and marked pursuant to the inspection laws of the respective states where inspection laws are in force, in regard to any pickled fish; and*

the casks containing such fish shall be branded with the words "for bounty," with the name of the inspector or packer, the species and quality of the fish contained therein, and the name of the port of exportation; and the collector of such district shall, together with the naval officer, where there is one, grant an order or permit for an inspector to examine the pickled fish as expressed in such entry; and if they correspond therewith, and the said officer is fully satisfied that they are of the fisheries of the United States, to lade the same, agreeably to such entry, on board the ship or vessel therein expressed; which lading shall be performed under the superintendence of the officer examining the same, who shall make returns of the quantity and quality of pickled fish so laden on board, in virtue of such order or permit, to the officer or officers granting the same. And the said exporter or exporters, when the lading is completed, and after returns thereof have been made as above directed, shall make oath or affirmation, that the pickled fish expressed in such entry, and then actually laden on board the ship or vessel as therein expressed, are truly and bona fide of the fisheries of the United States, that they are truly intended to be exported as therein specified, and are not intended to be reloaded within the limits of the United States; and shall also give bond, in double the amount of the bounty or allowance to be received, with one or more sureties, to the satisfaction of the collector of the port or place from which the said pickled fish are intended to be exported, conditioned that the same shall be landed and left at some foreign port or place without the limits aforesaid; which bonds shall be cancelled at the same periods, and in like manner, as is provided in respect to bonds given on the exportation of goods, wares, and merchandise, entitled to drawback of duties.\* *Provided always*, That the said bounty or allowance shall not be paid until at least six months after the exportation of such pickled fish, to be computed from the date of the bond, and until the exporter or exporters thereof shall produce to the collector, with whom such outward entry is made, such certificates, or other satisfactory proof, of the landing of the same as aforesaid, as is made necessary for cancelling the bonds given on the exportation of goods entitled to drawback: *And provided also*, That the bounty or allowance as aforesaid, shall not be paid unless the same shall amount to ten dollars, at least, upon each entry.

**SECT. 3.** *And be it further enacted*, That no bounty, drawback, or allowance, shall be made under the authority of this act, unless it shall be proved to the satisfaction of the collector that the pickled fish for which the bounty, drawback, or allowance, shall be claimed, was wholly cured with foreign salt, and in which a duty shall have been secured or paid.

**SECT. 4.** *And be it further enacted*, That if any pickled fish shall be falsely or fraudulently entered, with intent to obtain the bounty or allowance on their exportation, as here provided, when the said fish are not entitled to the same, the said fish, or the value thereof, to be recovered of the person making such false entry, shall be forfeited.

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The casks to be branded "for bounty," &c.

The collector, &c. to grant an order for an inspector to examine the pickled fish, &c.

The lading to be performed under the superintendence of the examining officer, &c.

The exporter to make oath, &c.

Substance of the oath.

The exporter to give bond, &c.

Condition of the bond.

Bonds to be cancelled as in cases of drawback.

[\* See sec. 81, ch. 128, vol. 2.] *Provido*; the bounty not to be paid until at least six months after the exportation, &c.

*Provido*; the bounty not to be paid unless it amounts to 10 dol.

No bounty under this act, unless it is proved that the pickled fish was wholly cured with foreign salt, &c.

If pickled fish are fraudulently entered, with intent, &c. the fish, or the value, forfeited.



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After the 31st Dec. 1814, there is to be paid, &c. annually, to the owner of every vessel, qualified, &c. for carrying on the bank and other cod fisheries, that has been actually employed, &c. for every ton, if of 30 and not exceeding 30, tons, 2 dolls. 40 cents; if above 30 tons, 4 dolls.

3-8ths to the owner.

5-8ths among the fishermen, &c.

Proviso; the allowance on one vessel, for a season, not to exceed 272 dolls.

After the 31st Dec. 1814, there is to be paid, annually, to the owner of every fishing boat of more than five, and less than twenty, tons, &c. by the collector of the district where, &c. 1 doll. 60 cents upon every ton admeasurement, to be accounted for as part of the proceeds of the fares, &c. Proviso; the allowance to be made only to such boats as have been actually employed at sea, &c. for four months, &c. Proviso; the boat must have landed, in the course of the preceding season, not less than 12 quintals for every ton, &c.

The account of weight, &c. to be produced and sworn to, &c.

16, within one year after the

**SECT. 5.** *And be it further enacted,* That, from and after the last day of December, one thousand eight hundred and fourteen, there shall be paid, on the last day of December, annually, to the owner of every vessel, or his agent, by the collector of the district where such vessel may belong, that shall be qualified, agreeably to law, for carrying on the bank and other cod fisheries, and that shall actually have been employed therein at sea for the term of four months at the least of the fishing season next preceding, which season is accounted to be from the last day of February to the last day of November in every year, for each and every ton of such vessel's burthen, according to her admeasurement as licensed or enrolled, if of twenty tons, and not exceeding thirty tons, two dollars and forty cents; and if above thirty tons, four dollars; of which allowance aforesaid three-eighths parts shall accrue and belong to the owner of such fishing vessel, and the other five-eighths thereof shall be divided by him, his agent, or lawful representative, to and among the several fishermen, who shall have been employed in such vessel during the season aforesaid, or a part thereof, as the case may be, in such proportions as the fish they shall respectively have taken may bear to the whole quantity of fish taken on board such vessel during such season: *Provided,* That the allowance aforesaid on any one vessel, for one season, shall not exceed two hundred and seventy-two dollars.

**SECT. 6.** *And be it further enacted,* That, from and after the last day of December, one thousand eight hundred and fourteen, there shall also be paid, on the last day of December, annually, to the owner of every fishing boat or vessel of more than five tons and less than twenty tons, or to his agent or lawful representative, by the collector of the district where such boat or vessel may belong, the sum of one dollar and sixty cents upon every ton admeasurement of such boat or vessel, which allowance shall be accounted for as part of the proceeds of the fares of said boat or vessel, and shall accordingly be so divided among all persons interested therein: *Provided, however,* That this allowance shall be made only to such boats or vessels as shall have been actually employed at sea in the cod fishery for the term of four months at the least of the preceding season: *And provided also,* That such boat or vessel shall have landed, in the course of said preceding season, a quantity of fish not less than twelve quintals for every ton of her admeasurement; the said quantity of fish to be ascertained when dried and cured fit for exportation, and according to the weight thereof as the same shall weigh at the time of delivery when actually sold; which account of the weight, with the original adjustment and settlement of the fare or fares among the owners and fishermen, together with a written account of the length, breadth, and depth, of said boat or vessel, and the time she has actually been employed in the fishery in the preceding season, shall, in all cases, be produced and sworn or affirmed before the said collector of the district, in order to entitle the owner, his agent, or lawful representative, to receive the allowances aforesaid. And if at any time within one year after pay-

ment of such allowance, it shall appear that any fraud or deceit has been practised in obtaining the same, the boat or vessel upon which such allowance shall have been paid, if found within the district aforesaid, shall be forfeited, otherwise the owner or owners, having practised such fraud or deceit, shall forfeit and pay one hundred dollars, to be sued for, recovered, and distributed, in the same manner as forfeitures and penalties are to be sued for, recovered, and distributed, for any breach of the act, entitled "An act to regulate the collection of duties on imports and tonnage."\*

**SECT. 7.** *And be it further enacted,* That the owner or owners of every fishing vessel of twenty tons and upwards, his or their agent or lawful representative, shall, previous to receiving the allowance made by this act, produce to the collector who is authorized to pay the same, the original agreement or agreements which may have been made with the fishermen employed on board such vessel, as is hereinbefore required, and also a certificate, to be by him or them subscribed, therein mentioning the particular days on which such vessel sailed and returned on the several voyages or fares she may have made in the preceding fishing season, to the truth of which he or they shall swear or affirm, before the collector aforesaid.

**SECT. 8.** *And be it further enacted,* That no ship or vessel of twenty tons or upwards, employed as aforesaid, shall be entitled to the allowance granted by this act, unless the skipper or master thereof shall, before he proceeds on any fishing voyage, make an agreement in writing, or in print, with every fisherman employed therein, according to the provisions of the act, entitled "An act for the government of persons in certain fisheries."†

**SECT. 9.** *And be it further enacted,* That any person who shall make any false declaration, in any oath or affirmation required by this act, being duly convicted thereof in any court of the United States having jurisdiction of such offence, shall be deemed guilty of wilful and corrupt perjury, and shall be punished accordingly.‡

**SECT. 10.** *And be it further enacted,* That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and for one year thereafter, and no longer. [Approved, July 29, 1813.]

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payment of the allowance, it should appear that any fraud, &c. has been practised, the boat to be forfeit, d. if, &c. or the owners to pay 100 dolls. &c.

[\* Ch. 123, vol 3.]

The owner of every fishing vessel, of 20 tons and upwards, &c. previously to receiving the allowance &c. to produce to the collector, &c. the original agreement, made with the fishermen, &c. and also a certificate, &c.

No vessel of 20 tons or upwards, &c. to be entitled to the allowance unless the master, before he proceeds on any fishing voyage, makes a written agreement with every fisherman, &c. [Ante, ch. 530.] Any person making a false declaration in any oath, &c. deemed guilty of wilful and corrupt perjury, &c.

[§ See sec. 18 ch. 36 vol. 3.] This act to continue in force until the 17th Feb. 1816.

**CHAP. 564. [XXXV.]** An act supplementary to the acts heretofore passed on the subject of an uniform rule of naturalization.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That persons resident within the United States, or the territories thereof, on the eighteenth day of June, in the year one thousand eight hundred and twelve, who had, before that day, made a declaration, according to law, of their intentions to become citizens of the United States, or who, by the existing laws of the United States,

Persons resident in the United States, &c. on the 18th June, 1812, and, before that day, had made a declaration of their intentions to be-

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come citizens, or who, &c. may be admitted, &c. notwithstanding they may be alien enemies, &c. Provide; nothing herein to prevent the apprehension and removal of any alien enemy previous to naturalization.

were, on that day, entitled to become citizens without making such declaration, may be admitted to become citizens thereof, notwithstanding they shall be alien enemies, at the times and in the manner prescribed by the laws heretofore passed on that subject: *Provided*, That nothing herein contained shall be taken or construed to interfere with, or prevent the apprehension and removal, agreeably to law, of, any alien enemy at any time previous to the actual naturalization of such alien.

[*Approved, July 30, 1813.*]

[\*See act of 9th Jan. 1813; chap. 703, post. which imposes a direct tax of six millions.]

CHAP. 565 [XXXVI.] An act to lay and collect a direct tax within the United States.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That a direct tax, of three millions of dollars, shall be, and is hereby, laid upon the United States, and apportioned to the states, respectively, in the manner following:

A direct tax of \$3,000,000 dolls. laid upon the United States, and apportioned to the states. New Hampshire.

To the state of New Hampshire, ninety-six thousand seven hundred ninety-three dollars and thirty-seven cents.

Massachusetts.

To the state of Massachusetts, three hundred sixteen thousand two hundred seventy dollars and ninety-eight cents.

Rhode Island.

To the state of Rhode Island, thirty-four thousand seven hundred two dollars and eighteen cents.

Connecticut.

To the state of Connecticut, one hundred eighteen thousand one hundred sixty-seven dollars and seventy-one cents.

Vermont.

To the state of Vermont, ninety-eight thousand three hundred forty-three dollars and seventy-one cents.

New York.

To the state of New York, four hundred thirty thousand one hundred forty-one dollars and sixty-two cents.

New Jersey.

To the state of New Jersey, one hundred eight thousand eight hundred seventy-one dollars and eighty-three cents.

Pennsylvania.

To the state of Pennsylvania, three hundred sixty-five thousand four hundred seventy-nine dollars and sixteen cents.

Delaware.

To the state of Delaware, thirty-two thousand forty-six dollars and twenty-five cents.

Maryland.

To the state of Maryland, one hundred fifty-one thousand six hundred twenty-three dollars and ninety-four cents.

Virginia.

To the state of Virginia, three hundred sixty-nine thousand eighteen dollars and forty-four cents.

Kentucky.

To the state of Kentucky, one hundred sixty-eight thousand nine hundred twenty-eight dollars and seventy-six cents.

Ohio.

To the state of Ohio, one hundred four thousand one hundred fifty dollars and fourteen cents.

North Carolina.

To the state of North Carolina, two hundred twenty thousand two hundred thirty-eight dollars and twenty-eight cents.

Tennessee.

To the state of Tennessee, one hundred ten thousand eighty-six dollars and fifty-five cents.

South Carolina.

To the state of South Carolina, one hundred fifty-one thousand nine hundred five dollars and forty-eight cents.

Georgia.

To the state of Georgia, ninety-four thousand nine hundred thirty-six dollars and forty-nine cents.

And to the state of Louisiana, twenty-eight thousand two hundred ninety-five dollars and eleven cents. 1813.

Louisiana.

**SECT. 2.** *And be it further enacted,* That the quotas or portions payable by the states, respectively, shall be laid and apportioned on the several counties and state districts of the said states, as defined, with respect to the boundaries of the said counties and state districts, by an act, entitled "An act for the assessment and collection of direct taxes and internal duties,"\* in the manner following:

The quotas payable by the states, respectively, to be apportioned on the several counties, &c. as defined, &c. by the act for the assessment and collection of direct taxes, &c. [\* Ante, ch. 244.] In New Hampshire.

*In the state of New Hampshire.* On the county of Rockingham, twenty-five thousand two hundred ninety-eight dollars and eighty-nine cents.

On the county of Strafford, seventeen thousand six hundred ninety-eight dollars and sixty-six cents.

On the county of Hillsborough, twenty thousand two hundred nineteen dollars and sixteen cents.

On the county of Cheshire, nineteen thousand three hundred eighteen dollars and three cents.

On the county of Grafton, eleven thousand nine hundred ten dollars and forty-three cents.

On the county of Coos, two thousand three hundred forty-eight dollars and twenty cents.

*In the state of Massachusetts.* On the county of Washington, two thousand six hundred twenty-three dollars and fifty-nine cents.

On the county of Hancock, nine thousand one hundred ninety dollars and sixty-five cents.

On the county of Lincoln, thirteen thousand six hundred seventy-two dollars.

On the county of Kennebeck, nine thousand six hundred ninety-six dollars and fifty-two cents.

On the county of Somerset, three thousand five hundred four dollars and sixty-three cents.

On the county of Oxford, five thousand five hundred fifty-nine dollars and sixty cents.

On the county of Cumberland, fifteen thousand seven hundred eighty-seven dollars and ninety-nine cents.

On the county of York, fourteen thousand one hundred seventy-five dollars and three cents.

On the county of Essex, forty-one thousand six hundred forty-three dollars and one cent.

On the county of Middlesex, twenty-six thousand four hundred thirty-three dollars and forty-five cents.

On the county of Suffolk, forty-three thousand six hundred seventy-six dollars and eighty-three cents.

On the county of Norfolk, fifteen thousand six hundred twenty-nine dollars and eighty-eight cents.

On the county of Plymouth, fourteen thousand four hundred seventy-eight dollars and sixty-seven cents.

On the county of Bristol, fourteen thousand four hundred sixty-nine dollars and sixteen cents.

On the county of Barnstable, six thousand five hundred fifty-three dollars.

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On the county of **Dukes**, one thousand one hundred seventy-three dollars and thirty-three cents.

On the county of **Nantucket**, four thousand nine hundred twenty-four dollars and thirty-one cents.

On the county of **Worcester**, thirty thousand one hundred seventy-one dollars and seventy-one cents.

On the counties of **Hampshire**, **Franklin**, and **Hampden**, twenty-nine thousand six hundred thirty-four dollars and five cents.

And on the county of **Berkshire**, thirteen thousand two hundred seventy-three dollars and fifty-seven cents.

In Vermont.

*In the state of Vermont.* On the county of **Windham**, eleven thousand eight hundred sixty-seven dollars and eighty-five cents.

On the county of **Windsor**, fifteen thousand five hundred forty-two dollars and thirty-two cents.

On the county of **Orange**, eleven thousand seven hundred eighty-four dollars and five cents.

On the county of **Caledonia**, seven thousand six hundred forty-three dollars and eighty-four cents.

On the county of **Orleans**, two thousand one hundred twenty-eight dollars and ten cents.

On the county of **Essex**, one thousand one hundred ninety-seven dollars and ninety-six cents.

On the county of **Bennington**, eight thousand three hundred ninety dollars and twelve cents.

On the county of **Rutland**, fourteen thousand thirty-six dollars and eighty-nine cents.

On the county of **Addison**, ten thousand seventy-nine dollars and eleven cents.

On the county of **Grand Isle**, one thousand five hundred fifty-three dollars and thirty-seven cents.

On the county of **Franklin**, five thousand eight hundred ninety dollars and forty cents.

And on the county of **Chittenden**, eight thousand two hundred twenty-nine dollars and seventy cents.

In Rhode Island.

*In the state of Rhode Island.* On the county of **Providence**, fourteen thousand five hundred sixty dollars.

On the county of **Newport**, eight thousand fifty-six dollars.

On the county of **Washington**, five thousand three hundred ninety-four dollars.

On the county of **Kent**, four thousand two hundred ninety-five dollars.

On the county of **Bristol**, two thousand three hundred ninety-five dollars and eighteen cents.

In Connecticut.

*In the state of Connecticut.* On the county of **Litchfield**, nineteen thousand sixty-five dollars seventy-two cents.

On the county of **Fairfield**, eighteen thousand eight hundred ten dollars and fifty-six cents.

On the county of **New Haven**, sixteen thousand seven hundred twenty-three dollars and ten cents.

On the county of **Harford**, nineteen thousand six hundred three dollars and two cents.

On the county of New London, thirteen thousand three hundred ninety-two dollars and four cents.

On the county of Middlesex, nine thousand sixty-four dollars and twenty cents.

On the county of Windham, fourteen thousand five hundred twenty-four dollars and thirty-eight cents.

And on the county of Tolland, six thousand nine hundred eighty-four dollars and sixty-nine cents.

*In the state of New York.* On the county of Suffolk, nine In New York. thousand thirty dollars.

On Queens county, nine thousand two hundred fifty dollars.

On Kings county, six thousand nine hundred thirty dollars.

On the city and county of New York, one hundred nine thousand two hundred thirty dollars.

On the county of West Chester, thirteen thousand one hundred twenty dollars.

On the county of Dutchess, twenty-four thousand one hundred forty dollars.

On the county of Orange, fifteen thousand dollars.

On the county of Rockland, two thousand six hundred eighty dollars.

On the county of Ulster, ten thousand six hundred seventy dollars.

On the county of Sullivan, two thousand four hundred fifty dollars.

On the county of Schoharie, five thousand six hundred ninety dollars.

On the county of Columbia, fourteen thousand six hundred dollars.

On the county of Renselaer, fifteen thousand one hundred ninety dollars.

On the county of Washington, fifteen thousand six hundred fifty-one dollars and sixty-two cents.

On the county of Saratoga, nine thousand eight hundred thirty dollars.

On the county of Essex, two thousand seven hundred dollars.

On the county of Clinton, two thousand two hundred eighty dollars.

On the county of Franklin, seven hundred seventy dollars.

On the county of Albany, nineteen thousand four hundred twenty dollars.

On the county of Schenectady, four thousand one hundred dollars.

On the county of Montgomery, sixteen thousand four hundred twenty dollars.

On the county of Herkimer, seven thousand ninety dollars.

On the county of Oneida, thirteen thousand three hundred dollars.

On the county of Lewis, one thousand nine hundred sixty dollars.

On the county of Jefferson, four thousand six hundred ten dollars.

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*In New York.*

On the county of St. Lawrence, three thousand dollars.

On the county of Otsego, eleven thousand six hundred ninety dollars.

On the county of Chenango, six thousand one hundred twenty dollars.

On the county of Madison, seven thousand four hundred thirty dollars.

On the county of Tioga, one thousand nine hundred thirty dollars.

On the county of Broome, one thousand nine hundred ninety dollars.

On the county of Steuben, one thousand seven hundred seventy dollars.

On the county of Onondago, seven thousand eight hundred sixty dollars.

On the county of Cortland, two thousand one hundred seventy dollars.

On the county of Cayuga, nine thousand two hundred ninety dollars.

On the county of Seneca, five thousand dollars.

On the county of Ontario, fourteen thousand two hundred seventy dollars.

On the county of Genessee, four thousand eighty dollars.

On the county of Niagara, three thousand one hundred ninety dollars.

On the county of Allegheny, four hundred seventy dollars.

On the county of Richmond, two thousand two hundred twenty dollars.

On the county of Greene, seven thousand eight hundred fifty dollars.

And on the county of Delaware, five thousand four hundred ninety dollars.

*In New Jersey.**In the state of New Jersey.* On the county of Bergen, seven thousand twenty-seven dollars and thirty cents.

On the county of Essex, nine thousand nine hundred nine dollars and eight cents.

On the county of Somerset, seven thousand two hundred thirty-three dollars and twenty-eight cents.

On the county of Middlesex, nine thousand one hundred eighty-two dollars and fifty-two cents.

On the county of Sussex, eleven thousand twenty-two dollars and seventy-three cents.

On the county of Morris, eight thousand eight hundred eighteen dollars and twenty-nine cents.

On the county of Hunterdon, twelve thousand two hundred fifty-one dollars and seventy-eight cents.

On the county of Burlington, eleven thousand nine hundred twenty-nine dollars and thirty-six cents.

On the county of Gloucester, eight thousand eight hundred twenty-three dollars and sixty-three cents.

On the county of Monmouth, ten thousand two hundred four dollars and twelve cents.

On the county of Cumberland, four thousand three hundred fifty-seven dollars and sixteen cents.

On the county of Salem, six thousand five hundred twenty-eight dollars and seventeen cents.

On the county of Cape May, one thousand five hundred eighty-four dollars and forty-one cents.

*In the state of Pennsylvania.* On the city of Philadelphia, In Pennsylvania. seventy-nine thousand five hundred dollars.

On the county of Philadelphia, thirty-eight thousand two hundred thirty dollars.

On the county of Chester, eighteen thousand two hundred seventy dollars.

On the county of Delaware, seven thousand sixty dollars.

On the county of Montgomery, fifteen thousand three hundred dollars.

On the county of Bucks, sixteen thousand six hundred dollars.

On the county of Lancaster, thirty-seven thousand four hundred dollars.

On the county of York, eleven thousand five hundred forty dollars.

On the county of Adams, five thousand four hundred fifty dollars.

On the county of Northampton, eleven thousand one hundred forty dollars.

On the county of Wayne, two thousand six hundred forty dollars.

On the county of Berks, twenty-one thousand five hundred fifty dollars.

On the county of Dauphin, seventeen thousand six hundred fifty dollars.

On the county of Cumberland, ten thousand three hundred dollars.

On the county of Franklin, nine thousand dollars.

On the county of Northumberland, seven thousand five hundred eighty dollars.

On the county of Mifflin, three thousand five hundred dollars.

On the county of Huntingdon, three thousand seventy dollars.

On the county of Bedford, two thousand six hundred ten dollars.

On the county of Somerset, two thousand dollars.

On the county of Cambria, four hundred dollars.

On the county of Fayette, four thousand five hundred dollars.

On the county of Greene, two thousand one hundred thirty dollars.

On the county of Washington, six thousand nine hundred twenty dollars.

On the county of Allegheny, five thousand two hundred ten dollars.

On the county of Armstrong, one thousand two hundred fifty dollars.

On the county of Westmoreland, five thousand four hundred forty dollars.



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In Pennsyl-  
vania.

On the counties of Indiana and Jefferson, one thousand three hundred twenty dollars.

On the county of Centre, three thousand one hundred fifty dollars.

On the counties of Clearfield, Potter, and M'Kean, three hundred dollars.

On the county of Luzerne, having the same limits as before the formation of the counties of Susquehannah and Bradford, two thousand seven hundred twenty dollars.

On the county of Lycoming, having the same limits as before the formation of the county of Bradford, two thousand five hundred dollars.

On the county of Tioga, three hundred eighty-nine dollars and sixteen cents.

On the county of Mercer, one thousand seven hundred ten dollars.

On the county of Butler, one thousand five hundred dollars.

On the county of Beaver, two thousand five hundred ten dollars.

On the county of Crawford, one thousand two hundred sixty dollars.

On the counties of Venango and Warren, eight hundred dollars.

On the county of Erie, seven hundred eighty dollars.

In Delaware.

*In the state of Delaware.* On the county of New Castle, twelve thousand two hundred eight dollars and eight cents.

On the county of Kent, ten thousand six hundred eighty-two dollars and seven cents.

And on the county of Sussex, nine thousand one hundred fifty-six dollars and six cents.

In Maryland.

*In the state of Maryland.* On the county of Somerset, five thousand five hundred forty dollars.

On the county of Worcester, four thousand nine hundred ten dollars.

On the county of Dorchester, five thousand five hundred ten dollars.

On the county of Talbot, four thousand one hundred forty dollars.

On the county of Queen Anne, five thousand six hundred thirty dollars.

On the county of Caroline, two thousand two hundred fifty dollars.

On the county of Kent, four thousand two hundred thirteen dollars and ninety-four cents.

On the county of Cecil, five thousand nine hundred fifty dollars.

On the county of Hartford, five thousand three hundred fifty dollars.

On the city and county of Baltimore, forty-eight thousand six hundred seventy dollars.

On the county of Anne Arundle, nine thousand eight hundred ten dollars.

On the county of Prince George, seven thousand six hundred ninety dollars. 1813.

On the county of Calvert, two thousand four hundred ten dollars. In Maryland.

On the county of St. Mary, three thousand nine hundred fifty dollars.

On the county of Charles, six thousand seven hundred forty dollars.

On the county of Montgomery, five thousand one hundred ten dollars.

On the county of Frederick, fourteen thousand one hundred seventy dollars.

On the county of Washington, seven thousand three hundred seventy dollars.

And on the county of Allegheny, two thousand two hundred ten dollars.

*In the state of Virginia.* On the county of Lee, three hundred forty-seven dollars and fifty cents. In Virginia.

On the county of Washington, one thousand eight hundred ninety-four dollars and fifty cents.

On the county of Grayson, two hundred thirty-three dollars and fifty cents.

On the county of Russell, one thousand three hundred thirty-six dollars.

On the county of Wythe, one thousand five hundred thirty-eight dollars and fifty cents.

On the county of Tazewell, one thousand two hundred sixty-seven dollars.

On the county of Botetourt, three thousand one hundred fourteen dollars and fifty cents.

On the county of Montgomery, one thousand three hundred twelve dollars and fifty cents.

On the county of Giles, five hundred forty dollars and fifty cents.

On the county of Monroe, one thousand thirty dollars and fifty cents.

On the county of Green Brier, one thousand six hundred fifty dollars and forty-four cents.

On the county of Kenhawa, two thousand one hundred sixty-seven dollars and fifty cents.

On the county of Cabell, one thousand five hundred forty-six dollars and fifty cents.

On the county of Mason, one thousand one hundred thirty dollars and fifty cents.

On the county of Randolph, five thousand four hundred sixty-five dollars and fifty cents.

On the county of Harrison, two thousand six hundred seventy-two dollars and fifty cents.

On the county of Wood, one thousand three hundred thirty-eight dollars and fifty cents.

On the county of Monongalia, two thousand nine hundred ninety-two dollars and fifty cents.

1813.

In Virginia.

On the county of Ohio, one thousand nine hundred seven dollars and fifty cents.

On the county of Brooke, one thousand one hundred ninety-five dollars and fifty cents.

On the county of Bath, two thousand three hundred five dollars and fifty cents.

On the county of Pendleton, one thousand four hundred twenty-eight dollars and fifty cents.

On the county of Hardy, two thousand one hundred twenty-six dollars and fifty cents.

On the county of Hampshire, three thousand seven hundred ninety-five dollars and fifty cents.

On the county of Rockbridge, three thousand three hundred ninety-one dollars and fifty cents.

On the county of Augusta, six thousand seven hundred thirty-nine dollars and fifty cents.

On the county of Rockingham, six thousand one hundred sixty-two dollars and fifty cents.

On the county of Shenandoah, five thousand nine hundred seventy-eight dollars and fifty cents.

On the county of Frederick, eleven thousand eight hundred seventy-six dollars and fifty cents.

On the county of Berkeley and on the county of Jefferson, thirteen thousand twenty-two dollars and fifty cents.

On the county of Bedford, five thousand two hundred thirty-three dollars and fifty cents.

On the county of Patrick, seven hundred seventy dollars and fifty cents.

On the county of Henry, one thousand three hundred four dollars and fifty cents.

On the county of Franklin, two thousand four dollars and fifty cents.

On the county of Campbell, three thousand eight hundred fifty-two dollars and fifty cents.

On the county of Charlotte, four thousand ninety dollars and fifty cents.

On the county of Pittsylvania, four thousand three hundred sixty-three dollars and fifty cents.

On the county of Halifax, six thousand seven hundred eighty-six dollars and fifty cents.

On the county of Mecklenberg, six thousand eight hundred sixty-six dollars and fifty cents.

On the county of Lunenburg, three thousand eight hundred twenty-one dollars and fifty cents.

On the county of Brunswick, four thousand eight hundred seventy-nine dollars and fifty cents.

On the county of Nottoway, four thousand three hundred twenty-two dollars and fifty cents.

On the county of Prince Edward, four thousand four hundred fourteen dollars and fifty cents.

On the county of Buckingham, five thousand seven hundred forty-one dollars and fifty cents.

On the county of Cumberland, four thousand seven hundred fifteen dollars and fifty cents. 1813.

In Virginia.

On the county of Amelia, five thousand two dollars and fifty cents.

On the county of Powhatan, three thousand eight hundred ninety-nine dollars and fifty cents.

On the county of Chesterfield, six thousand four hundred forty dollars and fifty cents.

On the county of Dinwiddie and town of Petersburg, eight thousand one hundred ninety-two dollars and fifty cents.

On the county of Prince George, two thousand nine hundred eighty-eight dollars and fifty cents.

On the county of Greenville, two thousand six hundred thirty-five dollars and fifty cents.

On the county of Sussex, three thousand nine hundred forty-five dollars and fifty cents.

On the county of Southampton, four thousand six hundred fifty-six dollars and fifty cents.

On the county of Surry, two thousand two hundred forty-four dollars and fifty cents.

On the county of Isle of Wight, two thousand six hundred eighty-eight dollars and fifty cents.

On the county of Nansemond, three thousand two hundred three dollars and fifty cents.

On the county and borough of Norfolk, nine thousand eight hundred fifty-seven dollars and fifty cents.

On the county of Princess Anne, two thousand four hundred seventeen dollars and fifty cents.

On the county of Elizabeth City, eight hundred thirty-nine dollars and fifty cents.

On the county of Warwick, eight hundred fifty-five dollars and fifty cents.

On the county of York, one thousand three hundred seventy-three dollars and fifty cents.

On the county of James City, one thousand five hundred twenty-five dollars and fifty cents.

On the county of New Kent, two thousand six hundred eighty-seven dollars and fifty cents.

On the county of Charles City, two thousand one hundred fifty-four dollars and fifty cents.

On the county of Henrico, eight thousand fifty dollars and fifty cents.

On the county of Goochland, four thousand five hundred fifty-five dollars and fifty cents.

On the county of Hanover, six thousand forty-nine dollars and fifty cents.

On the county of Amherst and on the county of Nelson, nine thousand five hundred thirteen dollars.

On the county of Albemarle, nine thousand four hundred ninety-seven dollars and fifty cents.

On the county of Fluvannah, two thousand one hundred thirty-one dollars and fifty cents.

1813.

~~In Virginia.~~

On the county of Orange, five thousand two hundred six dollars and fifty cents.

On the county of Madison, four thousand two hundred forty-seven dollars and fifty cents.

On the county of Culpepper, eight thousand six hundred ninety-two dollars and fifty cents.

On the county of Fauquier, eight thousand nine hundred forty dollars and fifty cents.

On the county of Prince William, five thousand two hundred fifty-one dollars and fifty cents.

On the county of Stafford, three thousand five hundred seventy-nine dollars and fifty cents.

On the county of Loudon, eight thousand one hundred thirty dollars and fifty cents.

On the county of Fairfax, six thousand three hundred fifty-four dollars and fifty cents.

On the county of Spottsylvania, six thousand two hundred sixty-two dollars and fifty cents.

On the county of Louisa, four thousand four hundred twenty-five dollars and fifty cents.

On the county of Caroline, seven thousand one hundred four dollars and fifty cents.

On the county of King George, two thousand seven hundred thirty-six dollars and fifty cents.

On the county of Westmoreland, three thousand five hundred and fourteen dollars and fifty cents.

On the county of Richmond, two thousand six hundred twenty-four dollars and fifty cents.

On the county of Northumberland, three thousand sixteen dollars and fifty cents.

On the county of Lancaster, one thousand nine hundred fifty-four dollars and fifty cents.

On the county of King William, three thousand four hundred fifty-four dollars and fifty cents.

On the county of King and Queen, two thousand eight hundred sixty dollars and fifty cents.

On the county of Essex, three thousand three hundred thirty-six dollars and fifty cents.

On the county of Middlesex, one thousand nine hundred forty-one dollars and fifty cents.

On the county of Gloucester, three thousand three hundred ninety-seven dollars and fifty cents.

On the county of Matthews, one thousand six hundred eleven dollars and fifty cents.

On the county of Accomac, five thousand one hundred thirty-nine dollars and fifty cents.

And on the county of Northampton, three thousand one hundred seven dollars and fifty cents.

In North Carolina.  
22.

*In the state of North Carolina.* On the county of Currituck, two thousand two hundred four dollars and eighty-six cents.

On the county of Camden, two thousand four hundred sixty-two dollars and ninety-five cents.

1813.

In North Caro.  
1813.

On the county of Pasquotank, three thousand four hundred ninety-three dollars and ninety-six cents.

On the county of Perquimans, two thousand one hundred seventy dollars and eighty-five cents.

On the county of Gates, two thousand one hundred thirty-four dollars and twenty cents.

On the county of Chowan, two thousand six hundred forty-two dollars and seventy cents.

On the county of Hartford, two thousand nine hundred fifty-six dollars and thirteen cents.

On the county of Bertie, five thousand two hundred sixty-seven dollars and twenty-seven cents.

On the county of Martin, two thousand three hundred thirty-five dollars and twelve cents.

On the county of Northampton, six thousand seven hundred sixty dollars and eighty-eight cents.

On the county of Halifax, seven thousand seven hundred twenty dollars and ninety-seven cents.

On the county of Washington, one thousand eight hundred fifty dollars.

On the county of Tyrrel, one thousand three hundred ninety-one dollars and forty-eight cents.

On the county of Hyde, two thousand three hundred eighty-six dollars and sixty-five cents.

On the county of Pitt, three thousand four hundred ninety-six dollars and forty-two cents.

On the county of Edgecombe, six thousand sixty-six dollars and eighty-nine cents.

On the county of Beaufort, two thousand eight hundred twenty-four dollars and sixty-five cents.

On the county of Green, one thousand six hundred forty-five dollars and ninety-four cents.

On the county of Craven, five thousand five hundred fifty-seven dollars and sixty-five cents.

On the county of Carteret, one thousand three hundred seventy-three dollars and twelve cents.

On the county of Jones, two thousand two hundred thirty-three dollars seventy-nine cents.

On the county of Lenoir, two thousand one hundred seventy-eight dollars and ninety cents.

On the county of Johnson, three thousand two hundred sixty-three dollars and fifteen cents.

On the county of Wayne, three thousand thirty-four dollars and thirty-five cents.

On the county of Warren, five thousand five hundred twenty-five dollars and thirty-three cents.

On the county of Franklin, four thousand five hundred seventy-six dollars and ninety-five cents.

On the county of Nash, two thousand nine hundred eighty-eight dollars and thirty-three cents.

On the county of Granville, six thousand four hundred forty-four dollars and thirty-nine cents.

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In North Caro-  
lina.

On the county of Onslow, two thousand two hundred thirty-four dollars and eleven cents.

On the county of New Hanover, six thousand six hundred ninety dollars and eleven cents.

On the county of Duplin, three thousand two hundred thirty-seven dollars and seventy-one cents.

On the county of Sampson, two thousand nine hundred fifty-one dollars and thirty-nine cents.

On the county of Brunswick, one thousand nine hundred eighty-three dollars and sixty-eight cents.

On the county of Bladen, two thousand seven hundred two dollars and eighty-three cents.

On the county of Columbus, one thousand two hundred thirty-five dollars and fifteen cents.

On the county of Cumberland, five thousand six hundred thirty-eight dollars and eighty-four cents.

On the county of Robeson, three thousand three hundred twenty-three dollars and fourteen cents.

On the county of Montgomery, two thousand eight hundred seventy-five dollars and three cents.

On the county of Richmond, two thousand three hundred eighty-three dollars and thirty-nine cents.

On the county of Anson, two thousand seven hundred ninety-two dollars and twenty-seven cents.

On the county of Moore, two thousand three hundred ninety-seven dollars and ninety-two cents.

On the county of Orange, seven thousand three hundred sixty-six dollars and fifty cents.

On the county of Wake, six thousand four hundred forty-three dollars and fifty-four cents.

On the county of Person, two thousand eight hundred fifty-one dollars and fifty-seven cents.

On the county of Rockingham, three thousand nine hundred sixty-two dollars and forty-seven cents.

On the county of Caswell, four thousand sixty-seven dollars and ninety-nine cents.

On the county of Guilford, four thousand four hundred ninety-one dollars and sixty-six cents.

On the county of Stokes, three thousand eight hundred forty-two dollars and thirty-eight cents.

On the county of Rowan, eight thousand eight hundred seventy-two dollars and thirteen cents.

On the county of Randolph, two thousand seven hundred sixty-four dollars and ninety-five cents.

On the county of Chatham, four thousand three hundred thirty-seven dollars and eighty-three cents.

On the county of Lincoln, five thousand six hundred fifty-two dollars and sixty-five cents.

On the county of Mecklenburg, five thousand four hundred sixty-three dollars and sixty-three cents.

On the county of Cabarrus, two thousand six hundred forty-five dollars and seventy cents.

On the county of Buncombe, two thousand eight hundred sixty dollars and forty-eight cents. 1813.

On the county of Haywood, eight hundred six dollars and eighteen cents. In North Carolina.

On the county of Burke, two thousand seven hundred sixty-four dollars and ninety-two cents.

On the county of Rutherford, three thousand nine hundred seventeen dollars and fifty-three cents.

On the county of Surry, three thousand three hundred ninety-seven dollars and eighty-one cents.

On the county of Wilkes, one thousand eight hundred seven dollars and twenty-eight cents.

On the county of Ashe, seven hundred twenty-four dollars and thirty-four cents.

And on the county of Iredell, three thousand eight hundred twelve dollars and sixty-one cents.

*In the state of Ohio.* On the county of Ross, three thousand eight hundred seventeen dollars and forty-nine cents. In Ohio.

On the county of Highland, eight hundred seventy-five dollars and twenty-one cents.

On the county of Clinton, four hundred ninety-one dollars and thirty-one cents.

On the county of Madison, four hundred one dollars and thirty-seven cents.

On the county of Champaign, eight hundred twelve dollars and sixty-one cents.

On the county of Greene, one thousand five hundred seventeen dollars and fourteen cents.

On the county of Delaware, six hundred ninety-one dollars and seventy-two cents.

On the county of Franklin, one thousand five hundred seventy-three dollars and ninety cents.

On the county of Tuscarawas, four hundred five dollars and eighty-eight cents.

On the county of Knox, four hundred dollars and thirty-two cents.

On the counties of Columbiana and Stark, two thousand six hundred eighty-seven dollars and forty-two cents.

On the county of Jefferson, one thousand nine hundred eighty-eight dollars and forty-two cents.

On the county of Warren, two thousand ninety-nine dollars and fourteen cents.

On the county of Scioto, four hundred twelve dollars and twenty-seven cents.

On the county of Licking, seven hundred eighty-nine dollars and thirteen cents.

On the county of Guernsey, two hundred thirty-seven dollars and forty-four cents.

On the county of Montgomery, one thousand five hundred fifty-six dollars and one cent.

On the county of Washington, one thousand seven hundred forty-two dollars and nine cents.



1813.

~~in Ohio.~~

On the county of Muskingum, one thousand five hundred forty-seven dollars and forty-eight cents.

On the county of Pickaway, one thousand two hundred two dollars and eighty-five cents.

On the county of Belmont, one thousand one hundred seventy-one dollars and forty-one cents.

On the county of Adams, one thousand four hundred thirty-three dollars and forty-one cents.

On the county of Clermont, one thousand six hundred ninety-seven dollars and eighty-eight cents.

On the county of Hamilton, two thousand eight hundred seventy-five dollars and seventy-nine cents.

On the county of Miami, four hundred twenty-one dollars and ten cents.

On the county of Preble, three hundred twenty-six dollars and fifty-two cents.

On the county of Butler, one thousand three hundred fifty-seven dollars and twelve cents.

On the county of Athens, two hundred seventy-two dollars and three cents.

On the county of Gallia, five hundred two dollars and fifty-seven cents.

On the county of Portage, one thousand four hundred sixty-four dollars and sixty-five cents.

On the county of Geauga, eight hundred fifty-two dollars and twenty-one cents.

On the county of Cuyahoga, five hundred eighteen dollars and fifty-four cents.

On the county of Trumbull, including Ashtabula, two thousand two hundred seventy dollars and four cents.

On the county of Fairfield, one thousand nine hundred twenty-four dollars and sixty-one cents.

And on the county of Fayette, two hundred eighty-three dollars and fifteen cents.

Which several quotas on the counties of the state of Ohio, are exclusively of the taxes on lands lying in the said counties, respectively, and owned by persons not residing in the state.

And on lands owned by persons not residing in the state, sixty-one thousand five hundred twenty-nine dollars and ninety-one cents.

In Kentucky.

*In the state of Kentucky.* On the county of Clarke, four thousand eight hundred sixteen dollars and eighty-three cents.

On the county of Estill, three hundred fifty-four dollars and twelve cents.

On the county of Montgomery, two thousand six hundred fifty-eight dollars and ninety-five cents.

On the county of Bath, one thousand two hundred twelve dollars and ninety-two cents.

On the county of Fleming, two thousand four hundred forty-eight dollars and eighty-nine cents.

On the county of Greenup, eight hundred seventy-four dollars and ninety-six cents.

On the county of **Floyd**, six hundred sixty-five dollars and <sup>1813.</sup>  
sixty cents. In Kentucky.

On the county of **Fayette**, fourteen thousand five hundred eighty-five dollars and twenty-eight cents.

On the county of **Jessamine**, three thousand three hundred five dollars and ninety-seven cents.

On the county of **Woodford**, four thousand seven hundred seven dollars and thirty cents.

On the county of **Scott**, four thousand four hundred forty-nine dollars and thirty-seven cents.

On the county of **Harrison**, two thousand nine hundred forty-three dollars and ten cents.

On the county of **Pendleton**, seven hundred twenty-one dollars and sixty cents.

On the county of **Campbell**, one thousand three hundred fifty-nine dollars and forty-four cents.

On the county of **Boone**, one thousand eighty-nine dollars and thirty-one cents.

On the county of **Gallatin**, one thousand one hundred forty-six dollars and three cents.

On the county of **Franklin**, four thousand six hundred ninety-one dollars and sixteen cents.

On the county of **Bourbon**, seven thousand one hundred seventy-four dollars and twenty-six cents.

On the county of **Nicholas**, one thousand three hundred twenty-five dollars and seventy cents.

On the county of **Mason**, five thousand three hundred eleven dollars and nine cents.

On the county of **Bracken**, one thousand two hundred thirty-five dollars and three cents.

On the county of **Lewis**, six hundred fifty-seven dollars and sixty-four cents.

On the county of **Livingston**, one thousand three hundred sixty-one dollars and eighty-nine cents.

On the county of **Caldwell**, one thousand three hundred ninety-seven dollars and fifty-eight cents.

On the county of **Christian**, three thousand four hundred seventy-six dollars and one cent.

On the county of **Breckenridge**, nine hundred seventy-two dollars and eleven cents.

On the county of **Ohio**, one thousand two hundred sixty-three dollars and twenty-five cents.

On the county of **Grayson**, five hundred twenty dollars.

On the county of **Muhlenberg**, one thousand two hundred thirty-six dollars and sixty cents.

On the county of **Henderson**, one thousand three hundred two dollars and ninety-six cents.

On the county of **Hopkins**, nine hundred sixteen dollars and ninety cents.

On the county of **Union**, seven hundred six dollars and ninety-one cents.

**1813.** On the county of **Barron**, three thousand three hundred forty-four dollars and twelve cents.

**in Kentucky.** On the county of **Warren**, three thousand one hundred one dollars and nine cents.

On the county of **Logan**, four thousand two hundred twelve dollars and ninety-one cents.

On the county of **Butler**, five hundred ninety-two dollars and thirty-three cents.

On the county of **Cumberland**, one thousand seven hundred two dollars and six cents.

On the county of **Mercer**, five thousand eight hundred eighty-five dollars and fifty-four cents.

On the county of **Garrard**, three thousand four hundred twenty-three dollars and thirty cents.

On the county of **Madison**, four thousand nine hundred thirty-three dollars and fifty-six cents.

On the county of **Clay**, five hundred twenty-two dollars and thirty-seven cents.

On the county of **Bullitt**, one thousand nineteen dollars and forty-three cents.

On the county of **Jefferson**, eight thousand six hundred thirty-five dollars and eighty-eight cents.

On the county of **Henry**, two thousand three dollars and seventy-one cents.

On the county of **Shelby**, five thousand four hundred thirty-one dollars and ten cents.

On the county of **Lincoln**, three thousand eight hundred fifty-two dollars and sixty-eight cents.

On the county of **Rockcastle**, five hundred sixty dollars and fifty-five cents.

On the county of **Knox**, one thousand three hundred eighteen dollars and twenty-two cents.

On the county of **Pulaski**, one thousand two hundred sixty-two dollars and eighty-two cents.

On the county of **Wayne**, one thousand three hundred forty-three dollars and six cents.

On the county of **Adair**, one thousand eight hundred eight dollars and sixty-eight cents.

On the county of **Casey**, seven hundred one dollars and twenty cents.

On the county of **Hardin**, two thousand three hundred eighty-three dollars and fifty-six cents.

On the county of **Nelson**, five thousand one hundred four dollars and ninety-eight cents.

On the county of **Washington**, three thousand eight hundred fifty-eight dollars and forty cents.

And on the county of **Greene**, two thousand five hundred forty-four dollars and ninety-four cents.

The quotas on the several counties of Kentucky are exclusively of the taxes on the lands of non-residents.

Which several quotas, on the counties of the state of Kentucky, are exclusively of the taxes on lands lying in the said counties, respectively, and owned by persons not residing within the state.

And on lands owned by persons not residing in the state, eight thousand four hundred ninety-three dollars and fifty-one cents. 1813.

The assessment on, and distribution among, the said lands of which sum, shall be made, any provision in any law to the contrary notwithstanding, by the assessor of that district in the said state, which includes the town of Frankford, from the list of said lands, as entered for payment of taxes with the auditor of public accounts of the state of Kentucky, in the year one thousand eight hundred and eleven, and from such other information as he may be able to obtain; and on failure to pay the said tax in the manner provided by the laws of the United States, the sale of the said lands being previously advertised, according to the said laws, shall be made by the collector of that district, which includes the said town, at the capital therein.

On lands of non-residents in Kentucky.

The assessment, and distribution of the sum among the lands of non-residents to be made by the assessor of the district which includes the town of Frankford, from the list of lands entered for the payment of taxes with the auditor of Kentucky, in 1811, &c.

*In the state of South Carolina,* On the district of Charleston, In South Carolina. forty-seven thousand five hundred and eighty dollars.

On the district of Colleton, twelve thousand nine hundred eighty-nine dollars and twenty-seven cents.

On the district of Beaufort, fifteen thousand four hundred twenty dollars and seventy-three cents.

On the district of Barnwell, two thousand seven hundred and fifty dollars.

On the district of Orangeburgh, four thousand six hundred and fifty dollars.

On the district of Lexington, two thousand and fifty dollars.

On the district of Richland, three thousand seven hundred dollars.

On the district of Edgefield, five thousand five hundred and seventy dollars.

On the district of Abbeville, four thousand nine hundred dollars.

On the district of Pendleton, two thousand one hundred and seventy dollars.

On the district of Greenville, one thousand four hundred five dollars and forty-eight cents.

On the district of Spartanburg, two thousand two hundred and seventy dollars.

On the district of Union, one thousand seven hundred and fifty dollars.

On the district of York, one thousand five hundred and sixty dollars.

On the district of Chester, one thousand eight hundred seventy dollars.

On the district of Laurens, two thousand two hundred and fifty dollars.

On the district of Newberry, two thousand two hundred and eighty dollars.

On the district of Fairfield, two thousand eight hundred dollars.

On the district of Lancaster, nine hundred and eighty dollars.

On the district of Kershaw, three thousand eight hundred and fifty dollars.

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On the district of Sumter, six thousand and thirty dollars.

On the district of Chesterfield, one thousand nine hundred and seventy dollars.

On the district of Darlington, two thousand one hundred and thirty dollars.

On the district of Georgetown, eleven thousand two hundred and eighty dollars.

On the district of Horry, one thousand and sixty dollars.

On the district of Marion, three thousand and ten dollars.

On the district of Williamsburg, two thousand three hundred dollars.

And on the district of Marlborough, one thousand three hundred thirty dollars.

In Tennessee.  
[\*See act of 14th  
April, 1814; ch.  
645, post.]

*In the state of Tennessee.\** On the county of Washington, two thousand four hundred ninety-two dollars.

On the county of Sullivan, two thousand two hundred five dollars.

On the county of Greene, three thousand one hundred twenty-seven dollars.

On the county of Hawkins, two thousand four hundred sixty-one dollars.

On the county of Carter, one thousand three hundred forty-nine dollars.

On the county of Cooke, one thousand six hundred fifty-nine dollars.

On the county of Knox, three thousand two hundred seventy-five cents.

On the county of Jefferson, two thousand three hundred fifty-three dollars and seventeen cents.

On the county of Sevier, one thousand four hundred eighty dollars.

On the county of Blount, two thousand eight hundred forty-six dollars.

On the county of Grainger, two thousand and sixty dollars.

On the county of Claiborne, one thousand five hundred and forty-five dollars.

On the county of Anderson, one thousand two hundred seventy-five dollars.

On the county of Campbell, eight hundred fifty-nine dollars.

On the county of Roan, one thousand seven hundred ninety-seven dollars.

On the county of Bledsoe, one thousand and forty-nine dollars.

On the county of Rhea, eight hundred and six dollars.

On the county of Smith, five thousand six hundred twenty-six dollars.

On the county of Jackson, two thousand six hundred nine dollars.

On the county of Overton, two thousand seven hundred twenty-five dollars.

On the county of White, one thousand nine hundred forty-four dollars.

On the county of Warren, two thousand seven hundred sixty-five dollars.

On the county of Franklin, two thousand seven hundred sixty-seven dollars. 1813.  
In Tennessee.

On the county of Bedford, three thousand nine hundred eighty-one dollars.

On the county of Lincoln, two thousand nine hundred forty-eight dollars.

On the county of Sumner, six thousand six hundred sixty dollars.

On the county of Davidson, seven thousand five hundred thirty-nine dollars.

On the county of Williamson, six thousand three hundred fifty-three dollars.

On the county of Rutherford, four thousand nine hundred fifty-eight dollars.

On the county of Wilson, five thousand seven hundred seventy-three dollars.

On the county of Maury, five thousand and three dollars.

On the county of Giles, two thousand one hundred ninety-six dollars.

On the county of Hickman, one thousand two hundred forty-seven dollars.

On the county of Humphries, seven hundred and thirty dollars.

On the county of Stewart, two thousand fifty-eight dollars and thirty-eight cents.

On the county of Dixon, two thousand one hundred eighty-one dollars.

On the county of Montgomery, three thousand eight hundred seventy-four dollars.

And on the county of Robertson, three thousand five hundred eleven dollars.

*In the state of Georgia.* On the county of Chatham, nineteen thousand three hundred fifteen dollars and thirty-five cents. In Georgia.

On the county of Bryan, nine hundred fifty-one dollars and seventy-five cents.

On the county of Liberty, three thousand fifty-eight dollars and fourteen cents.

On the county of McIntosh, one thousand six hundred seventy-eight dollars and forty-eight cents.

On the county of Glynn, one thousand seven hundred eighty-four dollars and twenty-three cents.

On the county of Camden, one thousand six hundred sixty-seven dollars and forty-one cents.

On the county of Wayne, two hundred fifty-two dollars and eight cents.

On the county of Effingham, eight hundred forty-six dollars.

On the county of Bullock, six hundred forty-one dollars and eighty-eight cents.

On the county of Tatnall, four hundred seventy dollars and ninety-six cents.

On the county of Scriven, one thousand three hundred fifty dollars and sixteen cents.

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In Georgia.

On the county of Burke, three thousand six hundred one dollars and sixty-seven cents.

On the county of Richmond, six thousand eight hundred four dollars and eighty-nine cents.

On the county of Jefferson, two thousand one hundred eighty-eight dollars and seventy-eight cents.

On the county of Washington, two thousand five hundred sixty-five dollars and five cents.

On the county of Montgomery, six hundred seventy dollars and sixteen cents.

On the county of Columbia, three thousand seven hundred sixty-six dollars and forty-two cents.

On the county of Warren, two thousand three hundred thirty-five dollars and eleven cents.

On the county of Hancock, four thousand nineteen dollars and seventy-three cents.

On the county of Greene, three thousand seven hundred twelve dollars and thirty-two cents.

On the county of Lincoln, one thousand four hundred seventy-three dollars and twelve cents.

On the county of Wilkes, four thousand six hundred eighty-two dollars and fifty-one cents.

On the county of Elbert, three thousand two hundred ninety-five dollars and forty-seven cents.

On the county of Franklin, one thousand six hundred forty-seven dollars and seventy-two cents.

On the county of Oglethorpe, three thousand seven hundred eight dollars and sixty-three cents.

On the county of Jackson, one thousand nine hundred sixty-seven dollars and forty-four cents.

On the county of Clark, two thousand twenty-four dollars and one cent.

On the county of Morgan, two thousand twenty-one dollars and fifty-five cents.

On the county of Laurens, four hundred seventy-five dollars and eighty-eight cents.

On the county of Pulaski, six hundred and sixty-four dollars.

On the county of Wilkinson, including the county of Telfair, five hundred sixty-nine dollars and thirty-three cents.

On the county of Twiggs, eight hundred eighty-six dollars and fifty-eight cents.

On the county of Baldwin, three thousand ten dollars and nineteen cents.

On the county of Jones, one thousand five hundred seventy dollars and twenty-seven cents.

On the county of Putnam, two thousand seven hundred fifty dollars and seventy-three cents.

And on the county of Randolph, now called Jasper, two thousand five hundred eight dollars and forty-nine cents.

In Louisiana.

*In the state of Louisiana.* On the parish of Orleans, ten thousand six hundred fifty-seven dollars fifty-five cents.

On the parish of St. Bernard, two hundred thirty-six dollars forty cents.

On the parish of Plaquemine, three hundred seventy-five dollars fifteen cents.

On the parish of St. Charles, one thousand one hundred sixty-seven dollars seventy-seven cents.

On the parish of St. John the Baptist, eight hundred nine dollars ninety cents.

On the parish of St. James, eight hundred nine dollars ninety cents.

On the parish of Ascension, six hundred thirty-seven dollars eighty-six cents.

On the parish of Assumption, four hundred and ninety-four dollars forty-five cents.

On the parish of La Fourche, interior, four hundred fifty-two dollars.

On the parish of Iberville, five hundred eighty dollars fifty cents.

On the parish of West Baton Rouge, three hundred eighty-five dollars fifty-one cents.

On the parish of Feliciana, one thousand three hundred eighty-three dollars forty-one cents.

On the parish of East Baton Rouge, one thousand one hundred fifty-four dollars.

On the parish of St. Helena, three hundred fifty-one dollars ten cents.

On the parish of St. Tammany, two hundred thirty-six dollars forty cents.

On the parish of Point Coupee, one thousand seven hundred ninety-nine dollars twenty-two cents.

On the parish of Concordia, five hundred eight dollars eighty-two cents.

On the parish of Warren, one hundred ninety-one dollars sixty cents.

On the parish of Ouachita, eight hundred thirty-one dollars seventy cents.

On the parish of Rapides, one thousand nine dollars forty-eight cents.

On the parish of Avoyelles, two hundred fourteen dollars eighty-eight cents.

On the parish of Catahoula, one hundred forty-one dollars eighty cents.

On the parish of Natchitoches, one thousand seventy-nine dollars forty-five cents.

On the parish of St. Landrey, one thousand two hundred one dollars four cents.

On the parish of St. Martin, one thousand three dollars eighteen cents. And

On the parish of St. Mary, five hundred eighty-nine dollars fifteen cents.

SECT. 3. *And be it further enacted*, That the amount of taxes which, by virtue of the provisions of the act for the assessment and collection of direct taxes and internal duties, and of this act, should be laid and collected on nonresidents' lands, so called, in the state of Kentucky and Ohio, shall be ascertained and levied in the same manner, and at the same rates, respectively, as they

The amount of taxes which, &c. should be laid, &c. on non-residents' lands in Kentucky and Ohio, to be ascertained and levied, &c. as they were by the laws



1813.

of those states in the year 1811. Lands entered in 1811 for taxation as belonging to nonresidents, and since transferred to residents, &c. the tax to be collected as on lands of nonresidents. *Provido;* where nonresidents have become residents, &c. they are to have notice, &c. If the amount laid exceeds or falls short, &c. of the quota on nonresidents' lands, the difference is to be deducted or added, in the next, &c.

The tax to be assessed and collected as provided by the act mentioned.

[\* Ante, ch. 844.] *Provido;* six additional collectors in Ohio, to collect the tax due from nonresident proprietors, &c.

The principal assessors to issue their precepts to their assistants, for carrying this act into effect on the 1st Feb. 1814, &c. Each state may vary, &c. the quotas imposed on its several counties or districts, &c.

A copy of the state law to be deposited in the office of the secretary of the treasury prior, &c. who is to give notice to principal collectors, &c. Each state may pay its quota into the treasury, and be entitled thereon to a deduction, &c. *Provido;* notice of intention of making payment to be given to the secretary of

were by the laws of those states in the year eighteen hundred and eleven; and lands in that year entered for taxation as nonresidents' lands, which, since that time, may have been sold and transferred to residents, or where the owners of such lands may have become residents, and have had their lands entered for taxation as residents, the tax on the same shall be collected as the tax on nonresidents' lands: *Provided,* In all cases where sales and transfers shall have been made as aforesaid, or where nonresidents have become residents, if they reside on the lands formerly entered as nonresidents' lands, they shall have notice from the collector, as in other cases of residents. And if the amount thus laid shall, in either of the said states, exceed or fall short of the amount fixed by this act as the quota to be laid on nonresidents' lands in the said states, respectively, the difference shall, in the next ensuing direct tax laid by the authority of the United States, be deducted from, or added to, the quota of such state, as the case may be.

SECT. 4. *And be it further enacted,* That the said tax shall be assessed and collected in the manner provided, and by the officers to be appointed, under and by virtue of the act aforesaid, entitled "An act for the assessment and collection of direct taxes and internal duties:"\* *Provided,* That there shall be appointed in the state of Ohio six additional collectors, who shall collect the tax due from nonresident proprietors of lands in the said state, shall have the same districts assigned them by the secretary of the treasury, reside at the same places which are or may be designated for similar officers under the state authority, and, in other respects, shall be under the same rules and regulations, be subject to the same penalties and forfeitures, as are provided by the above recited act.

SECT. 5. *And be it further enacted,* That the principal assessors shall issue their precepts to the assistant assessors for the purpose of carrying into effect this act on the first day of February next, and the assessments shall have reference to that day.

SECT. 6. *And be it further enacted,* That each state may vary, by an act of its legislature, the respective quotas imposed by this act on its several counties or districts, so as more equally and equitably to apportion the tax hereby imposed; and the tax laid by this act shall be levied and collected in conformity with such alterations and variations, as if the same made part of this act, provided that an authenticated copy thereof be deposited in the office of the secretary of the treasury prior to the first of April next; in which case it shall be the duty of the said secretary to give notice thereof to the proper principal collectors in such state.

SECT. 7. *And be it further enacted,* That each state may pay its quota into the treasury of the United States, and thereon shall be entitled to a deduction of fifteen per centum, if paid before the tenth day of February next, and of ten per centum, if paid before the first day of May, in the same year: *Provided,* That notice of the intention of making such payment be given to the secretary of the treasury one month prior to such payment; and

in case of payment so made, he shall give notice thereof to the principal assessors and collectors of such state; and no further proceedings shall thereafter be had under this act in such state.\* 1813.

SECT. 8. *And be it further enacted*, That if either the states of Ohio or Louisiana shall pay its quota according to the provisions of the preceding section, the legislature thereof shall be, and they are hereby authorized and empowered to collect, of all the purchasers of public lands, under any law of the United States, a just and equal proportion of the quota of said states, respectively, the compact between the United States and the said states to the contrary notwithstanding.

[Approved, August 2, 1813.]

the treasury one month prior, &c.  
[See act of 17th Jan. 1814, chap. 69, post.]  
If either Ohio or Louisiana pays its quota, &c. the legislature thereof empowered to collect of all the purchasers of public lands, &c. a just and equal proportion, &c.

CHAP. 566. [XXXVII.] An act concerning invalid pensioners.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of war be, and he hereby is, directed to place the following named persons on the pension list of invalid pensioners of the United States, who shall be entitled to and receive pensions according to the rates, and commencing at the times, herein mentioned; that is to say:

The secretary of war directed to place the persons named, on the list of invalid pensioners, at the rates, &c. specified.

Benjamin Randall, at the rate of five dollars per month, to commence on the eleventh day of February, one thousand eight hundred and thirteen.

Names of persons, &c. to be placed on the pension list.

George Hill, at the rate of three dollars and twenty-five cents per month, to commence on the twenty-fifth of February, one thousand eight hundred and thirteen.

Leonard Clarke, at the rate of five dollars per month, to commence on the eighteenth day of January, one thousand eight hundred and thirteen.

George Shannon, at the rate of eight dollars per month, to commence on the first day of January, one thousand eight hundred and thirteen.

Hezekiah Thorndike, at the rate of three dollars thirty-three and one-third cents per month, to commence on the first of May, one thousand eight hundred and twelve.

Benjamin Brockway, at the rate of two dollars and fifty cents per month, to commence on the eleventh of December, one thousand eight hundred and twelve.

Paul Bebee, at the rate of three dollars and seventy-five cents per month, to commence on the seventh of January, one thousand eight hundred and thirteen.

Zachariah Sherwood, at the rate of two dollars and fifty cents per month, to commence on the thirteenth of December, one thousand eight hundred and nine.

Braxton Carter, at the rate of three dollars per month, to commence on the first of January, one thousand eight hundred and thirteen.

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Names of persons, &c., to be placed on the pension list.

Patrick Logan, at the rate of two dollars and fifty cents per month, to commence on the first of January, one thousand eight hundred and thirteen.

Joseph Davidson, at the rate of two dollars fifty cents per month, to commence on the twenty-third of January, one thousand eight hundred and twelve.

John Jourdan, at the rate of five dollars per month, to commence on the twenty-sixth day of August, one thousand eight hundred and twelve.

James Russell, at the rate of five dollars per month, to commence on the twenty-first day of November, one thousand eight hundred and twelve.

Nathaniel Henry, at the rate of fifteen dollars per month, to commence on the first day of January, one thousand eight hundred and thirteen.

Abraham Merryfield, at the rate of five dollars per month, to commence on the fifteenth day of February, one thousand eight hundred and thirteen.

Joshua Patrick, at the rate of two dollars and fifty cents per month, to commence on the first day of June, one thousand eight hundred and thirteen.

Jonathan Morris, at the rate of ten dollars per month, to commence on the fourteenth day of June, one thousand eight hundred and thirteen.

Samuel White, at the rate of two dollars and fifty cents per month, to commence on the twelfth day of April, one thousand eight hundred and thirteen.

The pensions of the persons named, &c., to be increased, &c.

[\* Ante, ch. 26.]

Names of persons whose pensions are to be increased.

SECT. 2. *And be it further enacted*, That the pensions of the following named persons, already placed on the pension list of the United States, whose claims for an increase of pension have been transmitted to congress, pursuant to the act for that purpose,\* be increased to the sums herein, respectively, annexed to their names: the said increase to commence at the times herein mentioned, and to be instead of the pensions they at present receive; that is to say:

Ebenezer Bean, at the rate of two dollars and fifty cents per month, to commence on the ninth of June, one thousand eight hundred and twelve.

Samuel Morrell, at the rate of three dollars and seventy-five cents per month, to commence on the eleventh of September, one thousand eight hundred and twelve.

Moses Trussel, at the rate of five dollars per month, to commence on the twenty-fifth of September, one thousand eight hundred and twelve.

Samuel le Count, at the rate of five dollars per month, to commence on the twentieth of November, one thousand eight hundred and twelve.

Josiah Jones, at the rate of five dollars per month, to commence on the twenty-fifth of January, one thousand eight hundred and thirteen.

Stephen Everts, at the rate of five dollars per month, to com-

mence on the eighteenth of May, one thousand eight hundred and twelve.

Amazian Chappell, at the rate of three dollars and seventy-five cents per month, to commence on the seventh of February, one thousand eight hundred and eleven.

Samuel Stillman, at the rate of three dollars and seventy-five cents per month, to commence on the twenty-eighth of November, one thousand eight hundred and twelve.

Israel Dibble, at the rate of four dollars and fifty cents per month, to commence on the twelfth day of December, one thousand eight hundred and twelve.

Samuel Sawyer, at the rate of four dollars and fifty cents per month, to commence on the twelfth day of December, one thousand eight hundred and twelve.

Jacob Williams, at the rate of two dollars and an half per month, to commence on the eleventh day of January, one thousand eight hundred and thirteen.

Benjamin Tower, at the rate of five dollars per month, to commence on the twenty-seventh of January, one thousand eight hundred and thirteen.

John Talman, alias Tallman, at the rate of five dollars per month, to commence on the first of February, one thousand eight hundred and thirteen.

Younger Grady, at the rate of five dollars per month, to commence on the eighth day of June, one thousand eight hundred and eleven. [*Approved, August 2, 1813.*]

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Names of persons whose pensions are to be increased.

CHAP. 567. [XXXVIII.] An act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That every person who shall deal in the selling of any goods, wares, or merchandise, except such as are of the growth, produce, or manufacture, of the United States, and except such as are sold by the importer thereof in the original cask, case, box, or package, wherein the same shall have been imported, shall be deemed to be, and hereby is declared to be, a retail dealer in merchandise, within the meaning of this act; that every person who shall deal in the selling of wines, in a less quantity or in less quantities, at one time, than thirty gallons, except the importer in the original cask, case, box, or package, wherein the same shall have been imported, shall be deemed to be, and hereby is declared to be, a retail dealer in wines, within the meaning of this act; and that every person who shall deal in the selling of any distilled spirituous liquors, in less quantities than twenty gallons at one time, shall be deemed to be, and hereby is declared to be, a retail dealer in distilled spirituous liquors. Provided always, That nothing herein contained shall be construed to extend to physicians, apothecaries, surgeons, or chemists, as to any wines or spirituous liquors which they may use in the preparation or*

(\* See act of 23d Dec. 1814; sec. 3, chap. 699, post.)

Persons who deal in the selling of goods, &c., except of the growth, &c. of the United States, and except such as are sold by importers in the original package, &c. declared to be retail dealers, &c. Persons who sell wines in less quantities than 30 galls. except, &c. declared retail dealers, &c. Persons who sell distilled spirituous liquors in less quantities than 30 galls. declared retail dealers. *Provided, nothing herein to extend to physicians, &c. as to wines, &c. used in medicines for sick persons; or, &c.*

**1813.** making up of medicines for sick, lame, or diseased persons, ~~or~~ or to the sale of domestic spirits sold in quantities not less than five gallons at the place where the same shall have been distilled, and by the person or persons to whom a license for distilling the same shall have been granted, agreeably to the laws of the United States.\*

\* See act of 18th April, 1814; ch. 679, post.  
It tall dealers, &c. to obtain licenses from a collector before they begin to sell, &c.

[+ Ante, ch. 644.]

The licenses to be granted for the term of one year, &c.

Persons dealing in the selling of wines, merchandise, &c. by retail, without license, forfeit 100 dolls. besides the duties, &c.

No license sufficient for selling at more than one place at a time, &c.

The collectors to grant licenses, which are to be marked, &c. and to be signed by the commissioner of the revenue, countersigned by the collector, &c.

Provido; no license to be granted to any person to sell, &c. who is prohibited by any state.

**SECT. 2.** *And be it further enacted,* That every person who, on the first day of January next, shall be a retail dealer in wines, distilled spirituous liquors, or merchandise, as above described or defined, shall, before the said day, and every person who, after the said day, shall become or intend to become such retail dealer as aforesaid, shall, before he shall begin to sell by retail as aforesaid, any wine, distilled spirituous liquors, or merchandise, apply for and obtain from the collector appointed by virtue of the act, entitled "An act for the assessment and collection of direct taxes and internal duties,"† for the collection district in which such person resides, one or more licenses, as the case may be, for carrying on the business of selling by retail, as aforesaid; which licenses, respectively, shall be granted for the term of one year, upon the payment, for each license, respectively, of the duty by this act laid on such license, and shall be renewed yearly, upon the payment of the like sum for each license. And if any person shall, after the said day, deal in the selling of wines, distilled spirituous liquors, or merchandise, by retail, as above described and defined, without having a license therefor, as aforesaid, continuing in force, such person shall, in addition to the payment of the duty, forfeit and pay the sum of one hundred and fifty dollars, to be recovered with costs of suit. And no such license shall be sufficient for the selling of wines, distilled spirituous liquors, or merchandise, as aforesaid, by retail, at more than one place at the same time; but any person who, by color of such license, shall sell any wines, distilled spirituous liquors, or merchandise, as aforesaid, at more than one place at the same time, shall be deemed to be, in respect to such of the said articles as he or she shall so sell at more than one place at the same time, a retail dealer therein, as the case may be, without license, and shall forfeit and pay the like sum of one hundred and fifty dollars, in addition to the payment of the duty, to be recovered with costs of suit.

**SECT. 3.** *And be it further enacted,* That it shall be the duty of the collectors aforesaid, within their respective districts, to grant licenses for retailing, which licenses shall be marked with a mark, denoting the rate of the duty thereupon, and shall be signed by the commissioner of the revenue, and, being countersigned by the collector, who shall issue the same, or cause the same to be issued, shall be granted to any person who shall desire the same, upon application in writing, and upon payment of the sum or duty payable by this act upon each license requested: *Provided always,* That no license shall be granted to any person to sell wines, distilled spirituous liquors, or merchandise as aforesaid, who is prohibited to sell the same by any state.

**SECT. 4.** *And be it further enacted,* That the following duties shall be paid on the licenses abovementioned, viz:

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*Duties to be paid on licenses, &c.*

On retailers of merchandise, including wines and spirits, if in cities, towns, or villages, containing, within the limits of one mile square, more than one hundred families, twenty-five dollars; of wines alone, twenty dollars; of spirits alone, twenty dollars; of domestic spirits alone, fifteen dollars; of merchandise, other than wines and spirits, fifteen dollars.

If any other place than cities, towns, or villages, containing, within the limits of one mile square, more than one hundred families; on retailers of merchandise, including wines and spirits, fifteen dollars; of wines and spirits, fifteen dollars; of spirits alone, twelve dollars; of domestic spirits alone, ten dollars; of merchandise, other than wines and spirits, ten dollars.

**SECT. 5.** *And be it further enacted,* That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture, shall have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector shall first discover, if other than a collector shall first inform, of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court, within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

*The collectors to collect the duties imposed by this act, and to prosecute for the recovery of them, &c.*

*Fines, penalties, &c. to be sued for, in the name of the United States, &c. by bill, plaint, or information, &c.*

*Where the cause of action arises more than 50 miles from the nearest established place for holding a district court, the suit may be had before the court of a state, &c. This act to continue in force until the 17th Feb. 1816.*

**SECT. 6.** *And be it further enacted,* That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland, and the dependencies thereof, for one year thereafter and no longer. [Approved, August 2, 1813.]

CHAP. 568. [XXXIX.] An act to provide for the widows and orphans of militia slain, and for militia disabled, in the service of the United States.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, if any commissioned officer of the militia, or of any volunteer corps, shall, while in the service of the United States, die by reason of any wound received in actual service of the United States, and leave a widow, or if no widow, a child or children under sixteen years of age, such widow, or, if no widow, such child or children, shall be entitled to receive half the monthly

*The widows and children of commissioned officers in the militia or volunteers, dying of wounds received in actual service, entitled to half the monthly pay of the deceased for five years.*

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In case the widow dies or marries, before, &c. the half pay to go to the children.

Proviso; the half pay to cease on the death of the children. Officers, privates, &c. of the militia or volunteers, disabled by known wounds received in actual service, &c. to be placed on the list of invalids, &c.

[\* Ante, ch. 25.]

Proviso; the compensation of a commissioned officer not to exceed half his monthly pay, &c. and no officer to receive more than the half pay of a lieutenant-colonel. The rate to privates, &c. not to exceed \$5 dollars per month. Proviso; inferior disabilities to receive an allowance proportionate, &c. The provisions of this act to have effect from the 18th June, 1812. The 6th sec. of the act authorizing the president to accept and organize certain volunteer corps, repealed. [† Ante, ch. 344.]

pay to which the deceased was entitled at the time of his death, for and during the term of five years; but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay, for the remainder of the time, shall go to the child or children of such deceased officer: *Provided always*, That such half pay shall cease on the death of such child or children.

SECT. 2. *And be it further enacted*, That if any officer, non-commissioned officer, musician, or private, of the militia, or of any volunteer corps, shall be disabled by known wounds received in the actual service of the United States, while in the line of his duty, he shall, upon substantiating his claim, in the manner described by an act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war,"\* passed the tenth day of April, one thousand eight hundred and six, be placed on the list of invalids of the United States, at such rate of pension, and under such regulations, as are provided by the said act, or as may hereafter be provided by law: *Provided always*, That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed, for the highest rate of disability, half the monthly pay of such officer at the time of his being wounded or disabled, and that no officer shall receive more than the half pay of a lieutenant colonel; and that the rate of compensation to noncommissioned officers, musicians, and privates, shall not exceed five dollars per month: *And provided also*, That all inferior disabilities shall entitle the persons so disabled, to receive an allowance proportionate to the highest disability.

SECT. 3. *And be it further enacted*, That the provisions of this act shall be construed to have effect from and after the eighteenth day of June, one thousand eight hundred and twelve.

SECT. 4. *And be it further enacted*, That the sixth section of an act, entitled "An act authorizing the president of the United States to accept and organize certain volunteer military corps,"† passed the sixth day of February, one thousand eight hundred and twelve, be, and the same is hereby, repealed.

[Approved, August 2, 1813.]

[† See orig. act, of 25th Feb. 1813; ante, chap. 456.]

Organization of each of the ten additional companies of rangers, &c.

[† Ante, ch. 490.]

CHAP. 569. [XL.] An act explanatory of an act, entitled "An act to raise ten additional companies of rangers."‡

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That each of the ten companies authorized by the act, entitled "An act to raise ten additional companies of rangers,"§ shall consist of one captain, one first, one second, one third, lieutenant, one ensign, five sergeants, six corporals, and ninety privates.

[Approved, August 2, 1813.]

CHAP. 570. [XLI.] An act for the relief of the officers and crew of the late United States' brig Vixen.

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SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accountant of the navy department be, and he is hereby, authorized and required to assume the day of the departure of the brig Vixen, from a port in the United States, on her last cruise, as the day on which the accounts of the officers and crew of the said brig shall be finally settled and balanced: *Provided,* That nothing herein contained shall be construed to deprive the said officers and crew of any claims to further payment than is allowed by this act, which may, on satisfactory proof, appear to be just.

The accountant of the navy required to assume the day of departure of the brig Vixen on her last cruise, as the day on which the accounts are to be finally settled.

Provido; nothing herein to deprive the officers and crew of claims to further payment, which, &c.

SECT. 2. *And be it further enacted,* That the secretary of the navy be, and he is hereby, authorized to allow and pay unto the officers and crew of the said brig, such sum of money as, in his judgment, may be due to them for their pay.

The secretary of the navy authorized to pay the officers and crew such sum as may be due, &c.

[Approved, August 2, 1813.]

CHAP. 571. [XLII.] An act authorizing the payment for wagons and teams, captured or destroyed by the enemy at Detroit.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That every person who has sustained damages by the loss of his wagon and team, or either of them, without any fault or negligence on his part, while the same were actually employed in the transportation of baggage or supplies for the army under the command of brigadier general William Hull, during the summer of one thousand eight hundred and twelve, and which were captured or destroyed by the enemy on the surrender of said army at Detroit, shall be allowed the value of such wagon and team, or either of them, lost as aforesaid; the facts of the loss of the same, as well as the value thereof, to be ascertained in such manner, and on such evidence, as the president of the United States may direct; to be paid out of any moneys in the treasury, not otherwise appropriated. [Approved, August 2, 1813.]

Every person who lost his wagon, &c. without negligence, &c. while employed in transporting supplies, &c. for the army under gen. Hull, by capture, &c. at Detroit, in 1812, to be allowed the value, &c.

The facts of loss and value to be ascertained as the president may direct.

CHAP. 572. [XLIII.] An act for the relief of Joshua Dorsey.\*

[\* Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That Joshua Dorsey, who is now confined in the gaol of Baltimore county, in the state of Maryland, on a judgment obtained against him in favor of the United States, be discharged from his imprisonment: *Provided, however,* That any estate, real or personal, which the said Joshua Dorsey may have, or hereafter acquire, shall be liable to be taken to satisfy any judgment obtained against him by the United States, in the same manner as if he had not been imprisoned and discharged: *And provided also,*

Joshua Dorsey, confined in the gaol of Baltimore, &c. on a judgment in favor of the United States, discharged, &c. Proviso; any future estate liable, &c.



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Proviso; nothing in this act to discharge, or affect the liability of, any co-obligor, &c.

That nothing in this act contained shall be so construed as to discharge, or affect the liability of, any co-obligor, that may have been bound with the said Joshua Dorsey, for the payment of any money to the United States.

[Approved, August 2, 1813.]

CHAP. 573. [XLIV.] An act to authorize the appointment, by the president, of certain officers during the recess of the senate.\*

[\*Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That it shall be lawful for the president of the United States, in the recess of the senate, to appoint such of the officers of the five regiments, authorized by the act, entitled "An act in addition to the act, entitled 'An act to raise an additional military force, and for other purposes,'"† and the act supplementary thereto,‡ passed the fifth day of July, one thousand eight hundred and thirteen, as may not be appointed during the present session, which appointments shall be submitted to the senate at their next session, for their advice and consent.

The president authorized to appoint, in the recess, such officers of the five regiments authorized by the acts mentioned, as may not be appointed during the session, &c.  
[† Ante, ch. 480.]  
[‡ Ante, ch. 532.]  
The appointments to be submitted, &c.

[Approved, August 2, 1813.]

[§ Private.]

CHAP. 574. [XLV.] An act for the relief of Willet Warne.§

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That Willet Warne, who is confined in prison, in the city of Philadelphia, on a judgment obtained against him in favor of the United States, be discharged from his imprisonment: *Provided, however,* That any estate, real or personal, which the said Willet Warne may hereafter acquire, shall be liable to be taken in the same manner as if he had not been imprisoned and discharged.

Willet Warne, confined in prison in Philadelphia, on a judgment in favor of the United States, discharged, &c.  
Proviso; future estate liable, &c.

[Approved, August 2, 1813.]

[¶ Private and obsolete.]

CHAP. 575. [XLVI.] An act for the relief of George Lyon.||

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper officers of the treasury department be, and they are hereby, authorized and required to pay to George Lyon, a clerk in the patent office, a compensation, at the rate of five hundred dollars per annum, from the time his salary was discontinued until the end of the present year, to be paid out of any moneys in the treasury, not otherwise appropriated.

The proper officers of the treasury department required to pay to George Lyon, a clerk in the patent office, a compensation at the rate of 500 dollars per ann., for the time specified.

[Approved, August 2, 1813.]

CHAP. 576. [XLVII.] An act authorizing the sale of sundry lots, the property of the United States, in the borough of Pittsburg.\*

1813.

[\* See page 680, vol. 1.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby authorized, to cause to be sold certain lots of ground in the borough of Pittsburg, in the state of Pennsylvania, being the property of the United States, and the same on which fort Fayette now stands; the proceeds whereof are hereby appropriated, under the direction of the president, to the erection of arsenals, armories, and laboratories. [Approved, August 2, 1813.]

The president authorized to cause to be sold certain lots of ground in the borough of Pittsburg, &c.

The proceeds appropriated to the erection of arsenals, &c.

CHAP. 577. [XLVIII.] An act for reducing the duties payable on prize goods captured by the private armed vessels of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That on all goods, wares, and merchandise captured from the enemy, and made good and lawful prize of war, by any private armed ship or vessel of the United States, having a commission for making captures upon the enemy, or letters of marque and reprisal, and brought into the United States, or their territories, there shall be allowed a deduction of thirty-three and one-third per cent. on the amount of duties at present imposed by law.

A deduction of 33 and 1-3d per cent. on the amount of duties allowed on prize goods brought into the United States, &c.

[Approved, August 2, 1813.]

CHAP. 578. [XLIX.] An act supplementary to the act, entitled "An act for the better regulation of the ordnance."†

[† See orig. act, of 14th May, 1813; ante, chap. 406.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, in addition to the present number allowed by law, as many deputy commissaries of ordnance may be appointed, not exceeding five, as the president of the United States shall deem necessary to the public service; who shall be entitled to the same rank, pay, emoluments, rations, and forage, as are provided by the act to which this is a supplement. [Approved, August 2, 1813.]

Not exceeding five additional deputy commissaries of ordnance may be appointed.

Their rank, pay, &c.

CHAP. 579. [L.] An act authorizing a loan for a sum not exceeding seven millions five hundred thousand dollars.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to borrow, on the credit of the United States, a sum not exceeding seven millions five hundred thousand dollars, to be applied, in addition to the moneys now in the treasury, or which may be received from other sources, to defray any expenses which have been, or which may be, authorized for the service of the

The president authorized to borrow 7,500,000 dollars, to be applied, &c. to defray authorized expenses for the years 1813, and 1814, &c.

1813. years one thousand eight hundred and thirteen, and one thousand eight hundred and fourteen, and for which appropriations have been, or may be, made by law during those years: *Provided*, That no engagement or contract shall be entered into which shall preclude the United States from reimbursing any sum or sums thus borrowed, at any time after the expiration of twelve years, from the first day of January next.

*Proviso; no contract to preclude the United States from reimbursing after 1826.*

*The secretary of the treasury, &c. authorized to cause certificates of stock to be constituted and sold.*

*Proviso; no certificate to be sold at less than 88 dolls. in money for 100 in stock.*

*The secretary of the treasury to cause to be laid before congress an account of all the moneys obtained, &c.*

*The secretary of the treasury authorized, &c. to employ agents for obtaining subscriptions or selling the stock, &c.*

*Not exceeding 1-4th of one per cent. commission to the agents, &c.*

*Not exceeding 23,000 dolls. appropriated for paying commissions, and defraying other expenses incident to the loan.*

*So much of the annual appropriation of \$,000,000 of dolls. &c. as may be wanted, pledged, &c. for payment of interest and principal of the stock created by virtue of this act.*

*The commissioners of the sinking fund to cause to be applied, yearly, such sums as may be wanted to discharge interest and prin-*

SECT. 2. *And be it further enacted*, That the secretary of the treasury, with the approbation of the president of the United States, be, and he is hereby, authorized to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed by this act, or for any part thereof, and the same to be sold: *Provided*, That no such certificate shall be sold at a rate less than eighty-eight per centum, or eighty-eight dollars in money for one hundred dollars in stock. And the secretary of the treasury shall cause to be laid before congress, on the first Monday in February, one thousand eight hundred and fourteen, or as soon thereafter as congress may be in session, an account of all the moneys obtained by the sale of the certificates of stock in manner aforesaid, together with a statement of the rate at which the same may have been sold.

SECT. 3. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to employ an agent or agents, for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock created by virtue thereof. A commission not exceeding one-quarter of one per cent. on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the secretary of the treasury, be allowed to such agent or agents; and a sum not exceeding twenty-two thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, is hereby appropriated for paying the amount of such commission or commissions as may be thus allowed, and also for defraying the expenses of printing and issuing the subscription certificates, and certificates of stock, and other expenses incident to the receiving of subscriptions, and completing the loan, authorized by this act.

SECT. 4. *And be it further enacted*, That so much of the funds, constituting the annual appropriation of eight millions of dollars for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest and such part of the principal of said debt as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated, for the payment of the interest, and for the reimbursement of the principal, of the stock which may be created by virtue of this act. It shall accordingly be the duty of the commissioners of the sinking fund to cause to be applied and paid, out of the said fund, yearly, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal, as the same shall become due and

may be discharged in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sums or sums, out of the said fund, as they may think proper, towards redeeming by purchase, and at a price not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making up any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them, in manner aforesaid.

SECT. 5. *And be it further enacted*, That it shall be lawful for any of the banks in the district of Columbia to lend any part of the sum authorized to be borrowed by virtue of this act, any thing in any of their charters of incorporation to the contrary notwithstanding. [Approved, August 2, 1813.]

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cipal; and may apply such sums as they may think proper for redeeming the stock by purchase, &c. The faith of the United States pledged to establish sufficient revenues for making up any deficiency, &c. Any of the banks in the district of Columbia may lend any part of the sum authorized to be borrowed, &c.

CHAP. 580. [LI.] An act for the relief of David Henley.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the proper accounting officers of the treasury department be, and they are hereby, authorized and directed to liquidate and settle the accounts subsisting between the United States and David Henley, late general agent of the United States in Tennessee, and in the Indian country southwest of the Ohio, upon equitable principles, and make him such allowances, and grant him such discharge, as may be deemed reasonable, according to the circumstances of his case, under the direction of the secretary of the department of war. [Approved, August 2, 1813.]

[\* Private and obsolete.]

The proper accounting officers of the treasury department directed to settle the accounts between the United States and David Henley, late general agent in Tennessee, &c. and make him such allowances, &c. as may be reasonable, &c.

CHAP. 581. [LII.] An act laying duties on notes of banks, bankers, and certain companies; on notes, bonds, and obligations, discounted by banks, bankers, and certain companies; and on bills of exchange of certain descriptions.†

[† This act limited to 17th Feb. 1816. See supplementary act, of 10th Dec. 1814; chap. 693, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That from and after the last day of December next, there shall be levied, collected, and paid, throughout the United States, the several stamp duties following; viz: For every skin or piece of vellum, or parchment, or sheet, or piece of paper, upon which shall be written or printed any or either of the instruments of writing following; to wit:

Stamp duties payable after the 31st Dec. 1813.

On any promissory note or notes payable either to bearer or order, issued by any of the banks or companies, who issue and discount notes, bonds or obligations, either incorporated or not incorporated, which now are, or may hereafter be, established in the United States, or by any banker or bankers, according to the following scale; viz:

On notes issued by banks, &c.

If not exceeding one dollar, one cent.

If above one dollar, and not exceeding two dollars, two cents.

If above two, and not exceeding three, dollars, three cents.

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On notes issued  
by banks, &c.

If above three, and not exceeding five, dollars, five cents.

If above five, and not exceeding ten, dollars, ten cents.

If above ten, and not exceeding twenty, dollars, twenty cents.

If above twenty, and not exceeding fifty, dollars, fifty cents.

If above fifty, and not exceeding one hundred, dollars, one dollar.

If above one hundred, and not exceeding five hundred, dollars, five dollars.

If above five hundred, and not exceeding one thousand, dollars, ten dollars.

If above one thousand dollars, fifty dollars.

On bonds, notes,  
&c. discounted  
by any bank,  
bills of ex-  
change, &c.

On any bond, obligation, or promissory note or notes, not issued by any bank, companies, or banker, as aforesaid, discounted by any such bank, companies, or banker, and on any foreign or inland bill or bills of exchange above fifty dollars, and having one or more endorsers, according to the following scale; viz:

If not exceeding one hundred dollars, five cents.

If above one hundred, and not exceeding two hundred, dollars, ten cents.

If above two hundred, and not exceeding five hundred, dollars, twenty-five cents.

If above five hundred, and not exceeding one thousand, dollars, fifty cents.

If above one thousand, and not exceeding fifteen hundred, dollars, seventy-five cents.

If above fifteen hundred, and not exceeding two thousand, dollars, one dollar.

If above two thousand, and not exceeding three thousand, dollars, one dollar and fifty cents.

If above three thousand, and not exceeding four thousand, dollars, two dollars.

If above four thousand, and not exceeding five thousand, dollars, two dollars and fifty cents.

If above five thousand, and not exceeding seven thousand, dollars, three dollars and fifty cents.

If above seven thousand, and not exceeding eight thousand, dollars, four dollars.

If above eight thousand dollars, five dollars: *Provided*, That nothing herein contained shall be construed to charge with a duty, or to require to be stamped, any treasury or other note or notes issued for the use or benefit of the United States, in pursuance of any act of congress, or to any draft or bill drawn by the treasurer of the United States, or any check payable at sight upon any bank, company, or banker, as aforesaid, or to charge with a duty any second or other copy of a set of exchange.

*Provided*, nothing herein to charge with a duty, or to require to be stamped, treasury or other note issued for the use, &c. of the United States, &c. or any check payable at sight, &c.

The secretary of the treasury may agree with the banks to a composition of one and a half per cent. on the amount of annual dividends.

SECT. 2. *And be it further enacted*, That, in respect to any stamp on any of the notes of the banks or companies aforesaid, now established, or which may hereafter be established, within the United States, it shall be lawful for the secretary of the treasury to agree to an annual composition in lieu of such stamp duty, with any of the said banks or companies, of one and a-half

per centum on the amount of the annual dividend made by such banks to their stockholders respectively. 1813.

SECT. 3. *And be it further enacted,* That the several duties aforesaid shall be levied, collected, received, and accounted for, by, and under the immediate direction and management of, the collectors appointed under the act, entitled "An act for the assessment and collection of direct taxes and internal duties,"\* within their respective districts, subject to the superintendence, control, and direction, of the treasury department, according to the respective authorities and duties of the officers thereof.

The duties to be collected and accounted for by the collectors appointed under the act mentioned, &c.  
[\* Ante, ch. 544.]

SECT. 4. *And be it further enacted,* That it shall be the duty of the commissioner of the revenue to cause to be provided so many marks and stamps, differing from each other, as shall correspond with the several rates of duty aforesaid; that is to say, one mark or stamp for each distinct rate of duty; with which marks and stamps, respectively, shall be marked or stamped all vellum, parchment, or paper, upon which shall be written or printed all or any of the several instruments, writings, matters, and things, hereinbefore enumerated and charged, according to the nature and description of each of the said instruments, writings, matters, and things, as are hereinbefore specified and described; which said several marks and stamps shall be notified by a public notification or advertisement, to be issued by the commissioner of the revenue, and inserted in at least one newspaper printed in each state, and for not less than three months before the said last day of December next, to the end that all persons may have due notice thereof; and which said marks and stamps, or any of them, shall or may be altered or renewed, from time to time, as the said commissioner of the revenue shall think fit, so that like public notification thereof be made, for a term not less than three months before such new stamps or marks shall begin to be used.

The commissioner of the revenue to cause marks and stamps to be provided, &c.

Vellum, paper, &c. on which are written the things enumerated and charged, to be marked or stamped, according to the rate of duty, &c.

The marks and stamps to be notified by public advertisement, &c.

The marks and stamps may be altered as the commissioner of the revenue thinks fit, &c.

SECT. 5. *And be it further enacted,* That when any person or persons shall deposit any vellum, parchment, or paper, at the office of any collector aforesaid, accompanying the same with a list which shall specify the number and denomination of the stamps or marks which are to be thereto affixed, it shall be the duty of the said collector to transmit the same to the office of the commissioner of the revenue, where such paper, parchment, and vellum, shall be properly marked or stamped, and forthwith sent back to the said collector, who shall thereupon collect the duties, and deliver the vellum, parchment, and paper, pursuant to the order of the person from whom it was received.

Vellum, parchment, or paper, deposited at the office of a collector, with a list, &c. to be transmitted to the office of the commissioner, where it is to be stamped, sent back to the collector, and delivered, &c.

SECT. 6. *And be it further enacted,* That if any person or persons shall write or print, or cause to be written or printed, upon any unstamped vellum, parchment, or paper, (with intent fraudulently to evade the duties imposed by this act,) any of the matters and things for which the said vellum, parchment, or paper, is hereby charged to pay any duty, or shall write or print, or cause to be written or printed, any matter or thing upon any vellum, parchment, or paper, that shall be marked or stamped for any lower duty than the duty by this act payable; or shall

100 dols. forfeit for fraudulently evading the duties imposed by this act, in the modes described.

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500 dolls. penalty, in case of any clerk, officer, &c. who, in respect of any public employment, is instructed to make any writings, &c. chargeable with duty, being guilty of fraud, &c.

If the offender is an officer of the United States, he also forfeits his office, &c.

No instrument charged with the payment of duty, to be given in evidence unless stamped or marked.

Provido; if any such instrument has been written on parchment, &c. not stamped according to this act, or stamped for a lower duty, &c. the person holding it, on paying the duty and ten dollars additional to the collector, which he is to receive and endorse a receipt therefor, may render the instrument available, &c.

write or print, or cause to be written or printed, on vellum, parchment, or paper, duly stamped, any matters or things in respect whereof a duty is payable as aforesaid, at a distance from the stamps or marks impressed upon the said vellum, parchment, or paper, with intent again to use the said stamp, vellum, parchment, or paper, or with intent fraudulently to evade the duties imposed by this act; or shall write or print, or cause to be written or printed, any matters or things in respect whereof a duty is payable, on any piece of stamped vellum, parchment, or paper, whereon there shall have been before written or printed any other matter or thing in respect whereof a duty is payable by this act, before such vellum, parchment, or paper, shall have been again duly marked or stamped, according to this act; such person, so offending, shall, for every such offence, forfeit the sum of one hundred dollars; and in case any clerk, officer, or person, who, in respect of any public office or employment, is or shall be authorized or instructed to make, write, or print, any instruments or writings by this act charged to pay a duty as aforesaid, shall be guilty of any fraud, or practice to defraud or deprive the United States of any duty by this act payable, by making, writing, or printing, any such instrument or writing, or causing the same to be made, written, or printed, upon vellum, parchment, or paper, not marked or stamped according to this act, (or upon vellum, parchment, or paper, marked or stamped with any mark or stamp which he shall know to be counterfeited,) or by writing or printing any such instrument or other writing upon vellum, parchment, or paper, that shall be marked or stamped for a lower duty as aforesaid, every such clerk, officer, or person, so guilty, and being thereof lawfully convicted, shall, instead of the penalty aforesaid, forfeit and pay the sum of five hundred dollars; and, if an officer of the United States, shall, in addition thereto, forfeit his office, and be disabled to hold or enjoy the same for the future.

SECT. 7. *And be it further enacted*, That no instrument or writing whatsoever, charged by this act with the payment of a duty as aforesaid, shall be pleaded or given in evidence in any court, or admitted in any court to be available in law or equity, unless the same shall be stamped or marked as aforesaid: *Provided*, That if any such instrument or writing shall have been written or printed upon vellum, parchment, or paper, not marked or stamped according to this act, or upon vellum, parchment, or paper, marked or stamped for a lower duty than ought to be paid upon the same, then, and in such case, it shall be lawful for the person or persons holding such instrument or writing, to pay to the collector within whose collection district such person or persons shall reside, the duty chargeable by law on such instrument or writing, together with ten dollars in addition thereto, which duty, and additional sum of ten dollars, such collector is hereby authorized and required to receive, and, without fee or reward, to endorse a receipt therefor under his hand, upon some part of such instrument or writing; after which endorsement, and not otherwise, such instrument or writing shall be, to all intents

and purposes, as valid and available as if the same had been or were stamped or marked as by this act required. The sums thus received by each collector, in virtue of this section, shall be accounted for, and paid over, in the same manner as other moneys received for stamp duties, and in such form, and under such regulations, as shall be prescribed by the treasury department. And if any person, with intent to defraud the United States of any sum of moneys directed to be paid by this act, shall counterfeit or forge, or cause or procure to be counterfeited or forged, any receipt or endorsement, provided for and directed by this section, or shall utter, pass away, vend, or offer in evidence, in any court of justice, any such forged or counterfeit receipt or endorsement, knowing the same to be forged or counterfeited, then every person, so offending, and being thereof convicted in due form of law, shall be adjudged to be guilty of a misdemeanor, and shall be subject to be fined, in any sum not exceeding one thousand dollars, and to be imprisoned, for any term not exceeding seven years.

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The sums received in virtue of this section, to be accounted for as other moneys received for stamp duties, &c.

Fine and imprisonment for counterfeiting, &c. any receipt or endorsement directed by this section, &c.

SECT. 8. *And be it further enacted*, That, from and after the last day of December next, no bank or companies aforesaid, now established, or which shall be hereafter established, which shall not have compounded for the duty hereby required, shall issue any bank bill or promissory note, unless upon paper duly stamped, and whereon the respective duties shall have been paid; and if the officer of any such bank, or any person or persons employed therein, shall thereafter issue any bill or note not duly stamped as aforesaid, he or they shall forfeit and pay a fine equal to the value of the bill or note so issued.

After the 31st Dec. 1813, no bank that has not compounded to issue notes, unless on paper duly stamped, &c. under pain of forfeiting the value, &c.

SECT. 9. *And be it further enacted*, That every person who shall be employed for the marking or stamping of vellum, parchment, or paper, as aforesaid, before his acting in the marking or stamping of the said vellum, parchment, or paper, shall take the following oath or affirmation: *I* [insert here the name of the person] *do solemnly swear (or affirm, as the case may be) that I will, according to the best of my knowledge and skill, faithfully, honestly, and carefully, execute the trust reposed in me, and will truly mark or stamp all vellum, parchment, or paper, which I shall be required or directed to mark or stamp, and will render a true and exact account thereof to the proper officer or officers."*

Persons employed for marking or stamping vellum, &c. to take an oath.

Form of the oath.

SECT. 10. *And be it further enacted*, That the said collectors shall, from time to time, for the better execution of their several duties and trusts, observe and execute such directions as they, respectively, shall, from time to time, receive from the department of the treasury; which department shall take care that the several parts of the United States shall, from time to time, be sufficiently furnished with vellum, parchment, and paper, stamped or marked as aforesaid, so that the citizens thereof may have it in their election to buy the same of the officers or persons to be employed in and about the execution of this act, at the usual or most common rates above the said duty, or to bring their own vellum, parchment, or paper, to be marked or stamped as aforesaid.

The collectors to observe the directions they receive from the treasury department.

The treasury department to take care that the several parts of the United States are sufficiently furnished with stamped vellum, parchment, and paper, &c.



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Persons applying at the office of the collector for stamped vellum, &c., the duties on which amount to 10 dollars, &c. are to be allowed a deduction of 7 and 1-2 per cent. &c.

**SECT. 11.** *And be it further enacted,* That whenever any person, other than officers employed in collecting the revenue of the United States, shall apply to any collector aforesaid, at the office of such collector, for the purchase, at one time, of any quantity of vellum, parchment, or paper, stamped and marked in the manner aforesaid, the whole amount of the duties on which quantity shall be ten dollars or upwards, such collector shall be, and hereby is, authorized and required, to deliver to such person such quantity of vellum, parchment, or paper, stamped as aforesaid, the said person paying down the amount of the said duties, after deducting therefrom seven and one-half per centum on such amount, which deduction the said collector is hereby authorized and required to allow.

All the paper wanted for the purposes of this act, except for bank notes, to be furnished by the secretary of the treasury at the expense of the United States, &c. Annual appropriation for defraying the expenses of dies and stamping, &c.

**SECT. 12.** *And be it further enacted,* That all the paper wanted for the purposes of this act, excepting paper for bank notes, shall be furnished, at the expense of the United States, by the secretary of the treasury, who is hereby authorized to employ, annually, a sufficient sum for that purpose; which sum, as well as an annual sum of twenty thousand dollars, for defraying the expenses of dies and of stamping the paper, shall be paid out of any moneys in the treasury, not otherwise appropriated.

The collectors to collect the duties and prosecute for the recovery of them, &c.

All fines, penalties, &c. may be sued for in the name of the United States, &c. by bill, plaint, or information, &c.

**SECT. 13.** *And be it further enacted,* That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector aforesaid, within whose district any such fine, penalty, or forfeiture, shall have been incurred, by bill, plaint, or information; one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector aforesaid, shall first discover, if other than a collector aforesaid, shall first inform, of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court, within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

Where the cause of action arises more than 50 miles from the nearest established place for holding a district court, &c. the suit may be had before the court of a state, &c.

This act to continue in force until h. 17th Feb. 1816.

**SECT. 14.** *And be it further enacted,* That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and for one year thereafter, and no longer. [Approved, August 2, 1813.]

CHAP. 582. [LIII.] An act making additional appropriations for the support of government during the year one thousand eight hundred and thirteen.\*

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[\*Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That, in addition to the sums appropriated by the act making appropriations for the support of government for the year one thousand eight hundred and thirteen, the following sums be, and they are hereby, respectively, appropriated; that is to say:*

Additional sums appropriated for the support of government during the year 1813.

For expenses of intercourse with foreign nations, in addition to the sum heretofore appropriated, the sum of thirty-eight thousand five hundred dollars.

For expenses of foreign intercourse.

For the relief and protection of American seamen, in addition to the sums heretofore appropriated, the sum of forty thousand dollars.

For the relief, &c. of American seamen.

For fitting up four rooms in the building purchased by the United States, where the general post office is held, for the use of the superintendent general of military supplies, two thousand thirty-nine dollars and twelve and an-half cents.

For fitting up four rooms for the superintendent general of military supplies.

For books, stationery, furniture, wood, and other contingent expenses, the sum of one thousand dollars.

For books, stationery, &c.

SECT. 2. *And be it further enacted, That the several sums hereby appropriated shall be paid out of any moneys in the treasury, not otherwise appropriated. [Approved, August 2, 1813.]*

The sums appropriated to be paid out of the treasury, &c.

CHAP. 583. [LIV.] An act allowing a bounty to the owners, officers, and crews, of the private armed vessels of the United States.†

[†Obsolete. See additional act, of 19th March, 1814; chap. 616, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That a bounty of twenty-five dollars be paid to the owners, officers, and crews, of the private armed vessels of the United States, commissioned as letter of marque, for each and every prisoner by them captured and brought into port, and delivered to an agent authorized to receive them in any port of the United States; and the secretary of the treasury is hereby authorized and required to pay, or cause to be paid, to such owners, officers, and crews, of private armed vessels, commissioned as aforesaid, or their agent, the aforesaid bounty for each prisoner, captured and delivered as aforesaid.*

25 dolls. bounty to be paid to the owners, &c. of private armed vessels, for every prisoner delivered to an authorized agent, &c.

The secretary of the treasury authorized to pay the bounty.

SECT. 2. *And be it further enacted, That the sum of fifty thousand dollars, out of any money in the treasury, not otherwise appropriated, be, and the same is hereby, appropriated.*

50,000 dolls. appropriated.

[Approved, August 2, 1813.]

CHAP. 584. [LV.] An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That*

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The collectors appointed under the act for the assessment, &c. of direct taxes, &c. charged, under the direction of the treasury department, with the collection of the duties mentioned.

[\* Ante, ch. 544.]

The bonds to be given by the collectors so include the collection of the duties recited, &c.

The president authorized to divide the territories, &c. into convenient districts, appoint collectors, &c.

Provido; any territory may be erected into one collection district only.

Provido; the president empowered to make appointments in the recess, &c.

The duties laid by the acts mentioned, to be collected in the territories, and in the district of Columbia, &c.

[\* Ante, ch. 554.]

[† Ante, ch. 549.]

[‡ Ante, ch. 552.]

[§ Ante, ch. 557.]

[¶ Ante, ch. 553.]

[\*\* Ante, ch. 581.]

the collectors appointed under the act, entitled, "An act for the assessment and collection of direct taxes and internal duties,"\* shall be charged, under the direction and superintendence of the treasury department, with the collection, in their several districts, as defined in the said act, of the duties on sales at auction of merchandise, and of ships and vessels; on sugar refined within the United States; on carriages for the conveyance of persons; on licenses to retail dealers in wines, spirituous liquors, and foreign merchandise; on licenses to distillers of spirituous liquors; and on notes of banks, bankers, and certain companies; on notes, bonds, and obligations, discounted by banks, bankers, and certain companies, and on bills of exchange of certain descriptions; and the bonds which the said collectors, under the aforesaid act, are required to give for the true and faithful discharge of their offices, shall be deemed to extend to, and include, the due collection and payment over of the moneys arising within their respective districts from the several duties above recited; and in case of failure in the said due collection and payment, the said bonds shall be deemed to be forfeited to the United States, and may be sued, and judgment recovered thereupon, in the manner pointed out by this act.

SECT. 2. *And be it further enacted*, That the president of the United States be, and he is hereby, authorized to divide, respectively, the several territories of the United States, and the district of Columbia, into convenient districts, for the purpose of collecting the internal duties above specified, and to nominate, and by and with the advice and consent of the senate appoint, a collector for every such district: *Provided*, That any of the said territories, as well as the said district of Columbia, may, if the president shall think it proper, be erected into one collection district only: *And provided also*, That if the appointment of the said collectors, or any of them, shall not be made during the present session of congress, the president shall be, and is hereby, empowered to make such appointment during the recess of the senate, by granting commissions, which shall expire at the end of their next session.

SECT. 3. *And be it further enacted*, That the several duties laid by the acts, entitled "An act laying duties on sales at auction of merchandise, and of ships and vessels;"† "An act laying duties on sugar refined within the United States;"‡ "An act laying duties on carriages for the conveyance of persons;"§ "An act laying duties on licenses to retail dealers in wines, spirituous liquors, and foreign merchandise;"|| "An act laying duties on licenses to distillers of spirituous liquors;"¶ and "An act laying duties on notes of banks, bankers, and certain companies; on notes, bonds, and obligations, discounted by banks, bankers, and certain companies, and on bills of exchange of certain descriptions,"\*\* shall be laid and collected in the several territories of the United States, and in the district of Columbia, in the same manner, and under the same penalties, as is provided by the said acts, respectively; which said acts shall, to all intents and purposes, and in every respect and particular, apply and extend to

the several territories of the United States, and to the district of Columbia. 1813.

SECT. 4. *And be it further enacted,* That each of the collectors thus appointed within the several territories of the United States, and the district of Columbia, and each collector appointed in any state, which shall, under the provisions of the act, entitled "An act to lay and collect a direct tax within the United States,"\* pay its quota into the treasury of the United States, whereby the collection by the several collectors of the quotas of the said direct tax, imposed upon the several counties or districts of such state, shall become unnecessary, shall, within three months after being thereto required, give a bond with sureties, to be approved by the comptroller of the treasury, for the true and faithful execution of his office, and settlement of his accounts according to law, in a sum not less than three thousand dollars; which bond shall be filed in the office of the comptroller of the treasury, to be by him put in suit for the benefit of the United States, upon any breach of the conditions thereof.

SECT. 5. *And be it further enacted,* That if any collector of internal duties within the United States, or the territories thereof, shall neglect or refuse, for more than three months, to make up and render, to the proper officer, his accounts of all duties collected or secured, pursuant to such forms as may be prescribed, according to law, or to verify such accounts on oath or affirmation, if thereto required, or to pay over the moneys which shall have been collected, his bond shall be deemed forfeited, and judgment thereon shall and may be taken at the return term, on motion to be made in open court by the attorney of the United States, unless sufficient cause to the contrary be shown to, and allowed by, the court: *Provided always,* That the writ or process in such case shall have been executed at least fourteen days before the return day thereof.

SECT. 6. *And be it further enacted,* That the amount of all debts due to the United States by any collector of internal duties, whether secured by bond or otherwise, shall, and hereby is declared to, be a lien upon the lands and real estate of such collector, and of his sureties, if he shall have given bond, from the time when a suit shall be instituted for recovering the same; and for want of goods and chattels, or other personal effects, of such collector or his sureties, to satisfy any judgment which shall or may be recovered against them, respectively, such lands and real estates may be sold at public auction, after being advertised, for at least three weeks, in not less than three public places within the collection district, and in one newspaper printed in the county, if any there be, at least six weeks prior to the time of sale; and for all lands or real estate sold in pursuance of the authority aforesaid, the conveyances of the marshals, or their deputies, executed in due form of law, shall give a valid title against all persons claiming under such collector, or his sureties, respectively.

SECT. 7. *And be it further enacted,* That there shall be allowed to the collectors of direct tax and internal duties the fol-

Each collector in the territories, &c., and in any state that pays its quota of direct tax into the treasury, to give bond for the true and faithful execution of his office, &c.  
[\* Ante, ch. 565.]

The bond to be filed in the office of the comptroller of the treasury, &c.

Any collector of internal duties neglecting or refusing, for more than three months, to make up and render his accounts of all duties collected or secured, &c., his bond to be deemed forfeited, and judgment to be taken thereon at return term, unless, &c.

Provido; the process must have been executed 14 days before return day.

The amount of debts due to the United States by any collector, &c., declared to be a lien upon the real estate of himself and sureties, from the time of instituting suit, &c.

For want of goods and chattels, &c., to satisfy any judgment against the collector or his sureties, lands and real estates may be sold at public auction after being advertised, &c.

For lands or real estate sold, &c., the conveyances of the marshals, or their deputies, &c., to give a valid title, &c.

Commissions allowed to the col-

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Collectors of direct  
tax and internal  
duties.

lowing commissions, on the moneys received and accounted for by them, viz: On the moneys arising from the direct tax in each and every collection district, where the quota of such district shall not exceed ten thousand dollars, eight per cent.; where the quota shall exceed ten thousand dollars, and shall not exceed fifteen thousand dollars, seven per cent.; where the quota shall exceed fifteen thousand dollars, and shall not exceed twenty thousand dollars, six per cent.; where the quota shall exceed twenty thousand dollars, and shall not exceed thirty thousand dollars, five per cent.; where the quota shall exceed thirty thousand dollars, and shall not exceed fifty thousand dollars, four per cent.; where the quota shall exceed fifty thousand dollars, three per cent.; and on moneys arising from internal duties, six per cent.: *Provided*, That the commissions herein allowed for the collection of the direct tax and internal duties, shall, in no case, exceed four thousand dollars to any collector.

*Provided*, the commission allowed, in no case to exceed 4,000 dolls. to any collector. The president may distribute not exceeding 25,000 dolls. annually among such collectors as, for the execution of the public service, it may be necessary so to compensate, in addition, &c. *Provided*; no additional allowance to exceed 250 dolls. to any one collector, nor, &c.

Allowances to collectors for measuring stills or boilers, &c.

Necessary expenses of procuring books, stationery, &c. to be allowed to collectors, &c.

Each collector may appoint as many deputies as he deems proper, whose acts, &c. are to be valid, &c.

The collectors to keep accurate accounts of their official emoluments and expenditures, to be transmitted, under penalty, &c. to the commissioner of the revenue, &c.

SECT. 8. *And be it further enacted*, That it shall be lawful for the president of the United States to apportion and distribute, annually, a sum, not exceeding in the whole twenty-five thousand dollars, among such collectors as, for the execution of the public service, it shall appear to him necessary so to compensate, in addition to the other emoluments to which they are entitled: *Provided*, That no such allowance or distribution shall exceed two hundred and fifty dollars to any one collector, nor shall be made to any collector whose gross emoluments, other than this allowance, shall amount to one thousand dollars a year; nor shall, when added to the other gross emoluments of such collector, exceed one thousand dollars a year.

SECT. 9. *And be it further enacted*, That there shall be allowed to each collector for measuring, according to law, each still or boiler employed for the purpose of distillation, being under the capacity of one hundred gallons, sixty cents; and for each still or boiler as aforesaid, of the capacity of one hundred gallons or more, seventy-five cents. And the necessary expenses of procuring books, stationery, printed forms, certificates, and other documents necessary for the collection of the internal revenues and direct tax, shall and may be allowed to the collectors in the settlement of their accounts.

SECT. 10. *And be it further enacted*, That each collector shall be authorized to appoint, by an instrument or instruments under his hand, as many deputies within his collection district, to be by him paid and compensated for their services, as he may deem proper, whose acts, officially and legally performed, shall be as valid and available in every respect as if performed by the collector himself.

SECT. 11. *And be it further enacted*, That it shall be the duty of the collectors to keep accurate accounts of their official emoluments and expenditures, and the same, after being verified on oath or affirmation, to transmit annually, on the last day of December, or within forty days thereafter, under a penalty of one hundred dollars, to the commissioner of the revenue; and abstracts of the same shall be annually laid before congress by the secretary of the treasury.

**SECT. 12.** *And be it further enacted,* That if the appointment of the principal assessors authorized by the act, entitled "An act for the assessment and collection of direct taxes and internal duties,"\* or of any of them, shall not be made during the present session of congress, the president of the United States shall be, and he is hereby, empowered to make such appointment during the recess of the senate, by granting commissions which shall expire at the end of their next session.

**SECT. 13.** *And be it further enacted,* That the president of the United States shall be, and he is hereby, authorized to augment, in cases where he may find it necessary, the compensations, fixed by the act aforesaid, for the principal and assistant assessors; so, however, as that no principal assessor shall, in any such case, receive more than three hundred dollars, and no assistant assessor more than one hundred and fifty dollars.

[Approved, August 2, 1813.]

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The appointment of principal assessors may be made by the president during the recess, &c.  
[\* Ante, ch. 544.]

The president authorized, where necessary, to augment the compensations of principal and assistant assessors; so, however, &c.

**CHAP. 585. [LVI.]** An act to prohibit the use of licenses or passes granted by the authority of the government of the United Kingdom of Great Britain and Ireland.†

[† Repealed, by act of 3d March, 1816; sec. 3, chap. 766, post.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That any citizen or inhabitant of the United States, or the territories thereof, who shall obtain or use, either directly or indirectly, a license, pass, or other instrument, granted by the government of the United Kingdom of Great Britain and Ireland, or by any officer or agent thereof, for the protection of any ship, vessel, or merchandise, on the high seas, or elsewhere, or for the admission of any ship, vessel, or merchandise, into any port or place whatever; and any citizen or inhabitant as aforesaid, who shall be, either directly or indirectly, concerned or assisting in obtaining, using, granting, or selling, any such license, pass, or instrument, shall, upon conviction, for every such offence, forfeit a sum equal to twice the value of any such ship, vessel, and merchandise, and shall, moreover, be adjudged guilty of a misdemeanor, and shall be fined in a sum not exceeding five thousand, nor less than one thousand, dollars; and any ship, vessel, or merchandise, owned in whole or in part, by any citizen or inhabitant of the United States, or of the territories thereof, which shall, five days after the promulgation of this act, in the nearest port, be found in the waters, or within the jurisdiction, of the United States, having or using a license, pass, or other instrument, as aforesaid, shall be forfeited, the one-half to the use of the United States, and the other half to any person or persons who shall give information thereof, and produce or procure evidence of the fact; the duties, if any, which may be payable on the importation of such merchandise, being previously paid or deducted from the proceeds of such forfeiture: *Provided, however,* That the claim of any such person or persons, as derived from this act, shall not be admitted to bar, defeat, or affect, any forfeiture

Twice the value of vessel and merchandise, and fine, from 1,000 to 5,000 dollars, for obtaining or using licenses, &c. from the British government, &c. for the protection of any ship, &c.

Vessels, &c. owned by citizens, &c. found within the jurisdiction of the United States five days after the promulgation of this act in the nearest port, having a British license, to be forfeited; one-half to the informer, &c. the duties payable on the merchandise being first deducted. *Provided:* the claim of any person, derived from this act, not to affect any

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Forfeiture incurred by the infraction of any other law, &c. Vessels of the United States sailing under a license, &c. to be held as sailing under the British flag.

Commanders of public and private armed vessels may stop and examine vessels suspected of sailing under British license, &c. and if found therewith, to seize and send them into port.

Vessels found sailing under British licenses, &c. to be condemned, with their cargoes, and forfeited to the use of the captors, &c.

Provido; nothing contained in this act to prevent the use of passports authorized, &c. or passports granted by the commander of an enemy ship to any vessel to convey home captured persons.

Every vessel belonging to a citizen, &c. which shall depart from the United States after the promulgation of this act, &c. to be subject to the operation of it; and vessels in Europe, &c. at the time of its passage, after the 1st Nov. 1813.

Vessels to the east of the Cape of Good Hope, &c. after the 1st Jan. 1814, &c.

accrued to the United States, or to any other person, which shall have been incurred by reason of an infraction of any other law of the United States.

SECT. 2. *And be it further enacted*, That any ship or vessel of the United States, sailing under, or found on the high seas using, a license, pass, or instrument, as described in the preceding section of this act, shall be considered and held as sailing under the flag of the government of the United Kingdom of Great Britain and Ireland; and it shall be lawful for the commanders of the public and private armed ships and vessels of the United States, and the territories thereof, to stop and examine any ship or vessel of the United States or their territories, on the high seas or elsewhere, which there may be reasonable ground to suspect is sailing under the protection of, or using, any such license, pass, or other instrument, as aforesaid; and if, upon examination, it shall appear that such ship or vessel is sailing under the protection of, or using, any such license, pass, or other instrument, it shall be the duty of such commanders, and of each of them, to seize every such ship or vessel, and send the same to any port in the United States, or the territories thereof; and every such ship or vessel, so found sailing under the protection of, or using, any such license, pass, or other instrument, as aforesaid, shall, upon due proof thereof, before any court of the United States, or the territories thereof, having competent jurisdiction, be condemned, together with the cargo, and be forfeited to the sole use of the officers and crew of such public or private armed ship or vessel; and all forfeitures which shall accrue, and be recovered, in pursuance of this section, shall be distributed according to the rules prescribed by the existing laws, in cases of prizes made from the enemy: *Provided*, That nothing contained in this act shall be so construed as to prevent the acceptance or use of a passport, or any other paper, authorized by the government of the United States, or the acceptance or use of a passport granted by the commander of any ship of war of the enemy to any ship or vessel of the United States; which may have been captured and given up for the purpose of carrying persons captured by the enemy to the United States.

SECT. 3. *And be it further enacted*, That every ship or vessel belonging, wholly or in part, to a citizen or citizens, inhabitant or inhabitants, of the United States, which shall depart or clear out from any port or place within the jurisdiction of the United States, after the promulgation of this act at such port or place, shall be subject to the operation of the same; and that every ship or vessel owned as aforesaid, if the same be in any part of Europe, of the Mediterranean, or the western coast of Africa, or between the same and the United States, at the passage of this act, after the first day of November next; and if at any port or place to the east of the Cape of Good Hope, or between the same and the United States, after the first day of January next; and if, in either case, such vessel arrive in the United States previous to the said periods, respectively, then, after her arrival, shall, in like manner, be subject to the operation of this

act: *Provided*, That if any such ship or vessel be, in either of the foregoing cases, delayed by stress of weather, or other unavoidable accident, from returning to the United States within the periods above stated, the same shall not be subject to the operation of this act, until a sufficient time shall have elapsed, after a knowledge thereof, for her return to the United States: *And provided also*, That nothing herein contained shall be so construed as to arrest or stay any prosecution, or judicial proceeding, now pending in any court of the United States or the territories thereof, instituted against any citizen or inhabitant of the United States, for using, or against any ship or vessel, belonging wholly or in part to any citizen or citizens, inhabitant or inhabitants, of the United States, for sailing under the protection of, a license or pass granted by the authority of the government of the United Kingdom of Great Britain and Ireland, or by any person or persons acting under the authority of the same.

[*Approved, August 2, 1813.*]

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*Proviso*; if any vessel, in either of the cases specified, be delayed by stress of weather, &c. from returning within the period stated, not subject until, &c.  
*Proviso*; nothing herein to arrest or stay any prosecutions, &c. now pending, &c. against any citizen, vessel, &c. for using a British license, &c.

CHAP. 586. [LVII.] An act to amend and explain the act regulating pensions to persons on board private armed ships.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the act regulating pensions to persons on board private armed ships shall be construed to authorize the secretary of the navy to place on the pension list, under the restrictions and regulations of the said act, any officer, seaman, or marine, belonging to any private armed ship or vessel of the United States, bearing a commission of letter of marque, who shall have been wounded, or otherwise disabled, in the line of their duty as officers, seamen, or marines, of such private armed ship or vessel.

[*Approved, August 2, 1813.*]

[\*See the act amended and explained, of 13th Feb. 1813; ante, chap. 487.]  
 The act regulating pensions to persons on board private armed ships, to be construed to authorize the secretary of the navy to place on the pension list, &c. any officer, seaman or marine, belonging to any private armed vessel, who has been wounded, &c.

CHAP. 587. [LVIII.] An act giving further time for registering claims to lands in the late district of Arkansaw, in the territory of Missouri, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That every person or persons claiming lands in the late district of Arkansaw, in the territory of Missouri, who are actual settlers on the land which they claim, and whose claims have not been heretofore filed with the recorder of land titles for the territory of Missouri, shall be allowed until the first day of January next, to deliver notices in writing, and the written evidence, of their claims, to the recorder of land titles in the territory aforesaid; and the notices and evidences so delivered, within the time limited by this act, shall be recorded in the same manner, and on payment of the same fees, as if the same had been delivered before the first day of July, one thousand eight hundred and eight; but the right of such persons as shall neglect so doing,

Persons claiming lands in the late district of Arkansaw, &c. being actual settlers, whose claims have not been filed, &c. allowed until the 1st Jan. 1814, to deliver written notice and evidence of their claims to the recorder, &c. The notices delivered, &c. to be recorded, &c. as if delivered before the 1st July, 1808.  
 The rights of persons neglect-



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ing to deliver notice, &c. barred, &c.

The recorder to have the same powers in relation to the claims filed, &c. as the board of commissioners, &c. would have had if notice had been filed. &c. before the 1st July, 1808, (except, &c.)

The recorder to report all claims filed, to the commissioner of the general land office, &c.

The report, &c. to be laid before congress, &c.

The recorder to be allowed 50 cents for each decision, &c. in full, &c.

Where notice of claim has been filed, &c. and no testimony produced, the claimants shall be allowed until the 1st July, 1814, to exhibit testimony, &c.

within the time limited by this act, shall, so far as they are derived from, or founded on, any act of congress, ever after be barred and become void, and the evidences of their claims never after admitted as evidence in any claim of the United States against any grant derived from the United States.

SECT. 2. *And be it further enacted*, That the recorder of land titles for the territory of Missouri, shall have the same powers, and perform the same duties, in every respect, in relation to the claims that may be filed according to the preceding section, as the board of commissioners for ascertaining and adjusting claims to lands in the district of Louisiana would have had, or should have performed, if such notice had been filed, and such evidence delivered, before the first day of July, one thousand eight hundred and eight, except that his decisions shall be subject to the revision of congress.

SECT. 3. *And be it further enacted*, That it shall be the duty of the said recorder of land titles to make, to the commissioner of the general land office, a report of all claims filed with said recorder, with the substance of the evidence in support thereof; and also his opinion, and such remarks respecting the claims as he may think proper to make; which report, together with a list of the claims which, in the opinion of the said recorder, ought to be confirmed, shall be laid, by the commissioner of the general land office, before congress, for their determination.

SECT. 4. *And be it further enacted*, That the said recorder shall be allowed fifty cents for each claim on which a decision shall be made, whether such decision shall be in favor or against the claims; which allowance shall be in full for his services under this act.

SECT. 5. *And be it further enacted*, That in every case where notice of the claim shall have been filed under former laws, and in which no testimony shall have been produced, the claimants shall be allowed until the first day of July, one thousand eight hundred and fourteen, to produce, to said recorder, testimony in support of such claims; and the said recorder shall, in relation to such claims, have the same powers, and perform the said duties, as are required of him on claims filed under this act.

[Approved, August 2, 1813.]

[\* Private.]

CHAP. 588. [LIX.] An act for the relief John James Dufour and his associates.\*

The farther time of five years allowed to John James Dufour and his associates to pay the money due for a tract of land, &c. [† Ch. 303, vol. 3.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the further time of five years be, and the same hereby is, allowed to John James Dufour and his associates, to pay the money due the United States for a tract of land, appropriated by virtue of an act of congress, entitled "An act to empower John James Dufour and his associates to purchase certain lands,"† approved the first day of May, one thousand eight hundred and two, on the same terms, conditions. and limitations, specified in the above recited act. [Approved, August 2, 1813.]

# ACTS OF THE THIRTEENTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE SECOND SESSION, WHICH WAS BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE 6TH OF DECEMBER, 1813, AND ENDED ON THE 18TH OF APRIL, 1814.

James Madison, President. E. Gerry, Vice President, and President of the Senate. J. B. Varnum, President pro tempore, of the Senate, from the 17th of December to the 28th of January. John Gaillard, President of the Senate, pro tempore, on the 18th of April. H. Clay, Speaker of the House of Representatives until the 17th of January. Langdon Cheves, Speaker of the House of Representatives from the 25th of January.

CHAP. 589. [LX] An act laying an embargo on all ships and vessels in the ports and harbors of the United States.\*

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[\* Repealed, by act of 14th April, 1814; chap. 644, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* an embargo be, and hereby is, laid on all ships and vessels in the ports and places within the limits or jurisdiction of the United States, and the territories thereof, cleared or not cleared; and that no clearance be furnished to any ship or vessel, except vessels in ballast, with their necessary sea stores, under the immediate direction of the president of the United States; and that the president be authorized to give such instructions to the officers of the revenue, and of the navy, and of the private armed vessels and revenue cutters of the United States, as shall appear best adapted for carrying the same into full effect: *Provided, That* nothing herein contained shall be construed to prevent the departure of any foreign ship or vessel, in ballast, with her necessary sea stores, and with the goods, wares, and merchandise, other than provisions, military and naval stores, on board of such foreign ship or vessel, when notified of this act, whose officers and crews shall consist wholly of such foreigners as did belong to nations in amity with the United States at the time of the arrival of said ship or vessel in the United States, and which shall not have nor take on board for the voyage any citizen of the United States, except such as may produce a passport therefor, to be furnished under the authority and direction of the president of the United States. And all public armed vessels, possessing public commissions from any foreign power, are not to be considered as liable to the embargo laid by this act.

An embargo laid on all vessels within the jurisdiction of the United States, cleared or not cleared. No clearance, except to vessels in ballast, &c.

The president authorized to give instructions for carrying this act into effect.

Provide; nothing herein to prevent the departure of any foreign ship, not having provisions, military and naval stores, on board, whose officers and crew consist of foreigners belonging to nations in amity, and not taking on board citizens without a passport, &c.

Foreign public armed vessels, not liable to the embargo.

SECT. 2. *And be it further enacted, That* if any person or persons shall put, place, or load, on board any ship, vessel, boat,

Specie, provisions, merchandise, naval or

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military stores, attempted to be conveyed to any foreign place, contrary to the provisions of this act, are forfeited, together with the vessel or other vehicle of transportation, &c.

Persons concerned in the transportation, &c. liable to a fine of four times the value of the goods, &c.

Provido; this section not to extend to any person, not being the owner of the specie, goods, &c. who first informs, &c.

Informers, not being owners, &c. entitled to one-half the fine, &c.

The owners, &c. of vessels laden when notice of this act is received at the custom-house, to discharge the cargo, or give bond not to proceed, &c.

If the cargo is not discharged, or the bond given, within ten days, the vessel and cargo is forfeited.

The collectors authorized, until the cargoes have been discharged, &c. to take possession of the vessels, &c. The president may authorize the collectors, when, &c. to grant permission to vessels, &c. uniformly

or water craft, or into any cart, wagon, sled, or other carriage or vehicle, or in any other manner attempt to convey any specie, goods, wares, merchandise, produce, provisions, naval or military stores, or any kind of live stock, with intent to export, transport, or convey the same without the United States, or the territories thereof, to any foreign place, kingdom, or country, or with intent to convey the same on board any foreign ship or vessel within or without the limits of the United States, or with the intent, in any other manner, to evade the provisions of this act, all such specie, goods, wares, merchandise, produce, provisions, naval or military stores, live stock, and also the ship, vessel, boat, water craft, cart, wagon, sled, or other carriage or vehicle, on board, or on or in, which the same may be so put, placed, or loaded, as aforesaid, and also all horses, mules, and oxen, used or employed in conveying the same, shall be forfeited; and the person or persons so putting, placing, or loading, the same, as aforesaid, and also the aiders and abettors therein, shall, upon conviction, be adjudged guilty of a high misdemeanor, and fined a sum, by the court before which the conviction is had, equal to four times the value of such specie, goods, wares, merchandise, produce, provisions, naval or military stores, or live stock: *Provided, however,* That this section shall not be construed to extend to any person or persons, not being the owner or owners of such specie, goods, wares, merchandise, produce, provisions, naval or military stores, who shall first inform and make complaint to the collector of the district of any such offence committed within the same district; and any informer or informers, not being the owner or owners aforesaid, upon conviction of the offenders, shall be entitled to one-half of the fine aforesaid, when the same shall be received by the United States, and shall be entitled to a certificate for that purpose from the court before whom the conviction shall be had.

SECT. 3. *And be it further enacted,* That the owner or owners, consignee or factor, of any ship, vessel, or boat, which may, at the time when notice of this act shall be received at the several customhouses respectively, be laden in whole or in part, shall, on notice given by the collector, either discharge such cargo, or give bond, with two or more sufficient sureties, in double the value of such vessel and cargo, not to proceed on the intended voyage or trip, until permitted to do so, agreeably to the provisions of this act; and if the cargo shall not be discharged within ten days, or the bond given as aforesaid, the ship, vessel, or boat, and cargo, shall be wholly forfeited. And the several collectors are authorized, in the mean while, and until the cargoes shall have been discharged, or the bond given as aforesaid, to take possession of such vessels, and to take such other measures as may be necessary to prevent their departure.

SECT. 4. *And be it further enacted,* That the president of the United States may authorize the collectors of the customs (when in his opinion it can be done without danger of the embargo being violated, and under such limitations as he may deem expedient) to grant permission to vessels or boats, whose employment

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has uniformly been confined to the navigation of bays, sounds, rivers, or lakes, within the jurisdiction of the United States, or the territories thereof, to take on board, at any time, such articles of domestic or foreign growth as may be designated in such permission, bond, with one or more sufficient sureties, being previously given to the United States by the owner, owners, consignee, or factors, of such vessel or boat, and by the master thereof, in an amount equal to three hundred dollars for each ton of the said vessel or boat, that such vessel or boat shall not, during the time limited in the condition of the bond, depart from any district of the United States without having previously obtained a clearance, nor until the master or commander shall have delivered to the collector or surveyor of the port of departure, a manifest of the whole cargo on board, that the said vessel or boat shall not, during the time abovementioned, proceed to any other port or place than that mentioned in her clearance, nor put any article on board of any other vessel or boat, or be employed in any foreign trade; and that, on every voyage or trip, the whole of the cargo shall be landed in a port or place of the United States, or the territories thereof, within the bay, sound, rivers, or lakes, to which the navigation of such vessel is confined; and the burthen of proof of the landing the whole of any such cargo in a port or place of the United States, or the territories thereof, within the bay, sound, rivers, or lakes, to which the navigation of such vessel or boat is confined, or in the port or place mentioned in her clearance, shall, in case of any suit or prosecution instituted on such bond for a breach of the conditions thereof, lie upon the owner or owners, consignee, or factors, of such vessel or boat, or the master thereof, as the case may be: *Provided*, Such prosecution or suit be instituted within two years after such breach shall have been committed.

employed in the navigation of bays, &c. to take on board articles of domestic or foreign growth, &c. bond, &c. being previously given, &c.

The burthen of proof of the landing the cargo, &c. in case of prosecution, to lie upon the owners, &c.

*Provided*; prosecutions, &c. must be instituted within two years, &c.

SECT. 5. *And be it further enacted*, That if any vessel or boat, not having received a permission, and a bond not having been first given, in the manner provided for in the next preceding section, shall take on board any article or articles prohibited by this act, such vessel or boat, together with her cargo, shall be wholly forfeited, and the owner or owners, agent, freighter, or factors, master, or commander, of such vessel or boat, shall, moreover, severally forfeit and pay a sum equal to the value of the vessel or boat, and of the cargo put on board the same.

Any vessel not having received permission, &c. taking on board any prohibited article, &c. to be, with the cargo, forfeited, and the owners, &c. to pay a sum equal to the value, &c.

SECT. 6. *And be it further enacted*, That the person or persons, whose names do or may appear as owner or owners of any ship or vessel, either on the certificate of registry, enrolment, or license, of any such ship or vessel, or, if neither registered or licensed, on the last clearance or customhouse documents issued, before the passing of this act, for such ship or vessel, shall be reputed as the true owner or owners of such ship or vessel, and be liable to the payment of all penalties which may be incurred by the owners of such ship or vessel, by reason of any violation of any of the provisions of this act: *Provided always*, That nothing in this section contained shall be construed to release any other person or persons from the payment of any penalty incurred by

The persons whose names appear as owners on the certificate of registry, &c. or on the last clearance, &c. to be reputed the true owners, &c.

*Provided*; nothing in this section to release any other person, &c.

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In case of a new register, &c., or of the sale of a ship not registered, &c., a bond to be given previous, &c.

Proviso; nothing herein to extend to the owners of vessels who have made a bona fide sale before notice of this act, &c.

Proviso; the bond specified not to release owners, &c. from the obligation of giving every other bond, &c. Owners of vessels licensed for fisheries, or bound on a whaling voyage, &c. to give a general bond, &c.

Vessels departing without a clearance, or proceeding to a foreign port, &c. are, with the merchandise, &c. forfeited.

If the vessel, &c. is not seized, the owners, &c. to pay double the value, &c. and never thereafter to be allowed a credit for duties, &c.

The master, and others knowingly concerned, to forfeit not exceeding 30,000 dollars for every offence, &c. be imprisoned, &c.

The oath of any master offending, &c. to be inadmissible, &c.

virtue of this act. And in case of any new register or license being granted during the continuance of this act, or in case of the sale of any ship or vessel neither registered or licensed, a bond, with one or more sureties, to the United States, shall, previous to the granting any such new register or license, or to recognising the sale of such vessel not registered or licensed, be required by the collector, in an amount equal to three hundred dollars of each ton of such ship or vessel, that such ship or vessel shall not, during the continuance of this act, contravene or infringe any of the provisions thereof: *Provided*, That nothing herein contained shall be construed to extend to the owner or owners of any ship or vessel who shall have made a bona fide sale of such ship or vessel, in any port or harbor of the United States, before notice of this act at such port or harbor, respectively, nor to the owner or owners of any ship or vessel, in any foreign port or place, who shall have made a bona fide sale thereof before notice of this act: *And provided also*, That such bond shall not release the owners and master of such ship or vessel, or any other person, from the obligation of giving every other bond required by this act.

SECT. 7. *And be it further enacted*, That the owner or owners of all vessels licensed for fisheries, or those bound on a whaling voyage, and having no other cargo than necessary sea stores, salt, and the usual fishing tackling and apparel, shall give a general bond, in four times the value of the vessel and cargo, that they will not, during the continuance of this act, proceed to any foreign port or place, and will return with their fishing fare to some port or place within the United States.

SECT. 8. *And be it further enacted*, That if any ship or vessel shall, during the continuance of this act, depart from any port of the United States, without a clearance or permit, or if any ship or vessel shall, contrary to the provisions of this act, proceed to a foreign port or place, or trade with, or put on board of, any other ship or vessel, any article or articles prohibited by this act, such ship or vessels, goods, wares, merchandise, produce, provisions, naval or military stores, shall be wholly forfeited; and if the same shall not be seized, the owner or owners, agent, freighter, or factors, of any such ship or vessel, shall, for every such offence, forfeit and pay a sum equal to double the value of the ship or vessel and cargo, and shall never thereafter be allowed a credit for duties on any goods, wares, and merchandise, imported by him or them into any of the ports of the United States; and the master or commander of such ship or vessel, as well as all other persons who shall knowingly be concerned in any such violations of this act, shall each, respectively, forfeit and pay a sum not exceeding twenty thousand dollars for every such offence, whether the vessel be seized and condemned or not; and shall be imprisoned for a term not less than six calendar months, nor exceeding one year; and the oath or affirmation of any master or commander, knowingly offending against the provisions of this section, shall ever thereafter be inadmissible before any collector of the customs of the United States.

**SECT. 9.** *And be it further enacted,* That if any foreign ship or vessel shall, during the continuance of this act, take on board any specie, goods, wares, merchandise, produce, provisions, naval or military stores, other than the provisions and sea stores necessary for the voyage, such ship or vessel, and the specie and cargo on board, shall be wholly forfeited, and may be seized and condemned in any court of the United States having competent jurisdiction; and every person concerned in such unlawful shipment, shall forfeit and pay a sum not exceeding twenty thousand dollars for every such offence.

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Foreign ships taking on board merchandise, &c. other than necessary sea stores, &c. forfeited, &c.

Persons concerned to pay not exceeding 20,000 dolls.

**SECT. 10.** *And be it further enacted,* That the collectors of all the districts of the United States, and the territories thereof, shall, and they are hereby authorized to, take, into their custody, any specie, goods, wares, merchandise, produce, provisions, naval or military stores, or live stock, found on board of any ship or vessel, boat, or other water craft, when there is reason to believe that they are intended for exportation, or when in vessels, carts, wagons, sleighs, or any other carriage, or in any manner apparently on their way towards the territories of a foreign nation, or the vicinity thereof, or towards a place whence such articles are intended to be exported, or placed in the possession of the enemies of the United States; and not to permit such articles to be removed until bond, with sufficient sureties, shall have been given for the landing or delivery of the same in some place of the United States, whence, in the opinion of the collector, there shall not be any danger of such articles being exported or placed in the possession of the enemies of the United States.

Collectors authorized to take into custody any specie, goods, &c. when found in boats, &c. or in wagons, &c. when there is reason to believe they are intended for exportation, &c. or on their way to the territories of a foreign nation, &c.

The articles not to be removed until bond be given for landing in the United States, &c.

**SECT. 11.** *And be it further enacted,* That the powers given to the collectors by this act, to refuse permission to put any cargo on board any vessel, boat, or other water craft, to detain any vessel, or to take into their custody any articles for the purpose of preventing violations of the embargo, shall be exercised in conformity with such instructions as the president may give, and such rules as he may prescribe for that purpose, made in pursuance of the powers aforesaid; which instructions and rules the collectors shall be bound to obey. And if any action or suit be brought against any collector, or other person acting under the directions of, and in pursuance of, this act, he may plead the general issue, and give this act, and the instructions and regulations of the president, in evidence for his justification and defence. And any person aggrieved by the acts of any collector, in either of the cases aforesaid, may file his petition before the district court of the district wherein the collector resides, stating the facts of his case, and thereupon, after due notice given to the district attorney and the collector, the said court may summarily hear and adjudge thereupon, as law and justice may require: and the judgment of said court, and the reason and facts whereon it is grounded, shall be filed among the records of said court; and if restoration of the property detained or taken in custody, or permission to load as aforesaid, shall be decreed, it shall be upon the party's giving such bond, with sureties, as is or shall be required to be taken in similar cases by the collector, and not other-

The powers given to the collectors by this act, &c. to be exercised in conformity with such instructions as the president may give, &c.

If a suit be brought against any collector, &c. he may plead the general issue, and give this act, &c. in evidence, &c.

Any person aggrieved by a collector, &c. may file a petition before the district court, &c. After notice, &c. the court may summarily hear and adjudge, &c. The judgment of the court, &c. to be filed, &c. If restoration of the property detained, &c. be decreed, the party must give bond, &c.

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If the court ad-  
judge against the  
petition, the col-  
lector is entitled  
to treble costs,  
&c.

The president,  
or persons em-  
powered, &c.,  
may employ the  
land or naval  
forces, or the  
militia, to en-  
force the provi-  
sions of this act.

wise; but if the said court shall adjudge against such petition, the collector shall be entitled to treble costs, which shall be taxed for him, and execution awarded accordingly by the court.

SECT. 12. *And be it further enacted*, That it shall be lawful for the president of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces, or militia, of the United States, or of the territories thereof, as may be judged necessary, in conformity with the provisions of this act, for the purpose of preventing the illegal departure of any ship or vessel, or of detaining, taking possession of, and keeping in custody, any ship or vessel, or of taking into custody and guarding any specie, goods, wares, merchandise, produce, provisions, naval or military stores, or live stock, and also for the purpose of preventing and suppressing any armed or riotous assemblage of persons resisting the custom-house officers in the exercise of their duties, or in any manner opposing the execution of this act, or otherwise violating or assisting and abetting violations of the same.

Public and pri-  
vate armed ves-  
sels may capture  
ships that have  
violated any  
provision of this  
act, &c.

SECT. 13. *And be it further enacted*, That it shall be lawful for the public and private armed vessels of the United States to capture and seize, on the high seas or elsewhere, any ship or vessel which shall have violated any of the provisions of this act, and to send the same into any port of the United States for adjudication.

Penalties, &c.,  
may be prose-  
cuted, &c., by ac-  
tion of debt, in-  
dictment, or in-  
formation, &c.  
Distribution of  
forfeitures in  
case of seizure  
by the command-  
er of a public  
armed vessel.

[\*Ch. 187, vol. 3.]  
If by a private  
armed vessel, &c.

[† Ante, ch. 430.]  
[‡ Ante, ch. 478.]  
If otherwise  
seized, &c.

[§ Ch. 128, vol. 3.]

Mitigation of  
penalties, &c.

[|| Ch. 361, vol. 2.]

[¶ Ch. 166, vol. 3.]  
Persons entitled  
to a part of the  
fines may be wit-  
nesses; but, in  
such case, to re-  
ceive no share,  
&c.

SECT. 14. *And be it further enacted*, That all penalties and forfeitures incurred by force of this act, may be prosecuted, sued for, and recovered, by action of debt, or by indictment or information, as the case may require; and if recovered in consequence of any seizure made by the commander of any public armed vessel of the United States, shall be distributed according to the rules prescribed by the act, entitled "An act for the government of the navy of the United States;"\* and if in consequence of any seizure made by any private armed vessel of the United States, shall be distributed according to the rules prescribed by the act, entitled "An act concerning letters of marque, prizes, and prize goods,"† and the act in addition thereto;‡ and if otherwise, shall be distributed and accounted for, in the manner prescribed by the act, entitled "An act to regulate the collection of duties on imports and tonnage,"§ passed the second day of March, one thousand seven hundred and ninety-nine; and may be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned,"|| passed the third day of March, one thousand seven hundred ninety-seven, and made perpetual by an act passed the eleventh day of February, one thousand eight hundred;¶ and any officer or other person, entitled to a part or share of any of the fines, penalties, or forfeitures, aforesaid, may, if necessary, be a witness on the trial therefor; but in such case he shall not receive any part or share of the said fine, penalty, or forfeiture, but the part or share to which he would otherwise be entitled shall belong to the United States.

**SECT. 15.** *And be it further enacted,* That the time during which this act shall continue in force, shall not be computed as making part of the term of twelve calendar months, during which goods, wares, or merchandise, imported into the United States, must be exported in order to be entitled to a drawback of the duties paid on the importation thereof.

**SECT. 16.** *And be it further enacted,* That nothing in this act contained shall prevent the sailing of any private armed vessel duly commissioned by any foreign power in amity with the United States, nor of any vessel of the United States duly commissioned by virtue of an act, entitled "An act concerning letters of marque, prizes, and prize goods,"\* passed on the twenty-sixth day of June, one thousand eight hundred and twelve: *Provided always, nevertheless,* That it shall be lawful for, and the duty of, all officers of the customs and revenue officers of the United States, and they are hereby enjoined, to examine, search, and effectually ascertain, the amount and kind of articles all such vessels about sailing may have on board, so as to prevent their taking any cargo or other lading than the stores, provisions, armament, furniture, and equipment, generally proper and necessary for such vessels.

**SECT. 17.** *And be it further enacted,* That whenever it shall appear, on report made to any collector of the customs, by any officer of the customs, revenue officer, or other person, that any private armed vessel has on board any article or articles whatever, goods, wares, merchandise, or cargo of any description, intended for trade or traffic with the enemies of the United States, either directly or intermediately through any neutral or other person or persons, or for exportation, it shall be the duty of the said collector, and he is hereby authorized, to seize all such articles, goods, wares, merchandise, and cargo of every description, and to have the same landed forthwith, to be proceeded against as forfeited to the United States.

**SECT. 18.** *And be it further enacted,* That in all such cases it shall be the duty of the district attorney of the United States, for the district within which the said proceedings shall take place, to proceed in due form of law for the condemnation and forfeiture of the said articles to the use of the United States.

**SECT. 19.** *And be it further enacted,* That in all cases of condemnation as aforesaid, the captain, or other commanding officer, and each and every of the owners, of such private armed vessels, shall be fined in a sum not exceeding one thousand dollars each.

**SECT. 20.** *And be it further enacted,* That this act shall be in force from and after the passing thereof, until the first day of January, in the year of our Lord one thousand eight hundred and fifteen, unless a cessation of hostilities between the United States and Great Britain and Ireland, and their dependencies, shall take place before that day; in which event, or in any other event that shall, in the opinion of the president, render the termination of the embargo hereby imposed, compatible with the public interest, the president of the United States is hereby au-

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The time during which this act continues in force not to make part of the 12 calendar months allowed for exportation of goods with benefit of drawback. Nothing in this act to prevent the sailing of private armed vessels, &c.

[\* Ante, ch. 430.]

Proviso; officers of the customs to examine private armed vessels about to sail, &c.

When it appears, &c. that any private armed vessel has on board articles, &c. intended for trade, &c. with the enemy, &c. the collector is to seize them, &c. to be proceeded against as forfeited.

In the cases referred to, the district attorneys are to proceed, in due form of law, for the forfeiture, &c.

In all cases of condemnation, &c. the commanding officer of the private armed vessel, &c. is to be fined, &c.

This act to be in force from the 17th Dec. 1813, to the 1st Jan. 1815, unless, &c.



1813-14. *thorized to declare, by proclamation, that this act is to cease and have no effect.\** [Approved, December 17, 1813.]  
[\* The act repealed. S-c chap. 644. post.]

CHAP. 590. [LXI.] An act making certain partial appropriations for the year one thousand eight hundred and fourteen †

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That a sum of one million five hundred thousand dollars be, and the same is hereby, appropriated towards defraying the expenses of the military establishment of the United States during the year one thousand eight hundred and fourteen.*

1,500,000 dolla.  
appropriated to-  
wards defraying  
the expenses of  
the military es-  
tablishment for  
1814.

Sums appropri-  
ated:  
Towards de-  
fraying the com-  
pensation of  
members of  
congress, &c.

Towards de-  
fraying contin-  
gent expenses  
of the house of  
representatives:  
And of the se-  
nate.

Towards de-  
fraying the ex-  
penses of the  
navy, &c.

The preceding  
appropriations  
to be paid out  
of moneys in the  
treasury, &c.

SECT. 2. *And be it further enacted, That the following sums be appropriated for the purposes herein recited, that is to say: Towards defraying the compensation granted by law to the members of the senate and house of representatives, their officers and attendants, during the year one thousand eight hundred and fourteen, the sum of fifty thousand dollars:*

*Towards defraying the contingent expenses of the house of representatives, during the year one thousand eight hundred and fourteen, ten thousand dollars:*

*Towards defraying the contingent expenses of the senate, during the year one thousand eight hundred and fourteen, three thousand dollars:*

*Towards defraying the expenses of the navy of the United States, for the year one thousand eight hundred and fourteen, the sum of one million of dollars.*

SECT. 3. *And be it further enacted, That the several appropriations hereinbefore made, shall be paid and discharged out of any moneys in the treasury, not otherwise appropriated.*

[Approved, January 11, 1814.]

[‡ Obsolete.]

CHAP. 591. [LXII.] An act for the relief of Richard Dale.‡

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the proper accounting officers of the navy department be, and they are hereby, authorized and required to settle and adjust the account of Richard Dale, and pass to his credit the amount of such sea stores as may have been furnished him by the United States while he was commander of the United States' ship the Ganges: Provided, The said Richard Dale will relinquish all claims to the rations to which he may be entitled.*

[Approved, January 11, 1814.]

[§ Obsolete. See  
orig. act, of 2d  
Aug. 1813; ante,  
chap. 866.]

CHAP. 592. [LXIII.] An act to amend the seventh section of the act, entitled "An act to lay and collect a direct tax within the United States."§

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That*

in every case where the legislature of a state shall not convene prior to the first day of January, one thousand eight hundred and fourteen, no notice of the assumption of the quota of such state of the direct tax shall be deemed necessary; and such state shall be allowed until the twentieth of February next for making payment, and shall receive thereon the same deduction as if such payment had been made on the tenth day of February.

[Approved, January 17, 1814.]

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Where the legislature does not convene prior to the 1st Jan. 1814, no notice of the assumption of the quota of direct tax necessary, and such state allowed until 20th Feb. 1814, to make payment, &c.

CHAP. 593. [LXIV.] An act authorizing the president of the United States to grant certain permissions to the inhabitants of the island of Nantucket.\* [\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* during the continuance of the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and he is hereby authorized and empowered, when in his opinion the public interest shall not forbid it, to grant permission, on application made therefor, to any inhabitant or inhabitants of the island of Nantucket, to employ any ship, vessel, or boat, for the purpose of conveying from the main land to said island, fuel, provisions, and other necessities, for the subsistence of the inhabitants thereof, and of carrying from Nantucket to the main land, in the ship, vessel, or boat, oil, spermaceti candles, and fish, under such regulations and restrictions, and with such security as are required by the fourth section of the act "laying an embargo on all ships and vessels in the ports and harbors of the United States."† [Approved, January 25, 1814.]

During the continuance of the embargo, the president may grant permission, &c. to the inhabitants of Nantucket, to employ any ship, &c. for conveying from the main land, &c. fuel, provisions, &c.

[† Act, ch. 589.]

CHAP. 594. [LXV.] An act granting Moses Hook the right of pre-emption.‡ [‡ Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* Moses Hook, of the Mississippi territory, shall have the right of pre-emption to three hundred acres of land, including his improvements, and designated on the plat or map of the township as number fourteen: *Provided, The said Moses Hook enter the said tract of land with register of the land office for the land district west of Pearl river, and make the first payment for the same within six months from the passage of this act, and complete his payments as prescribed by law.*

[Approved, January 25, 1814.]

Moses Hook, of the Mississippi territory, to have the right of pre-emption to 300 acres of land, &c. designated on the plat, &c. as No. 14. *Proviso:* Moses Hook to enter the tract with the register west of Pearl river, and make the first payment within 6 months, &c.

CHAP. 595. [LXVI.] An act making further provision for filling the ranks of the regular army, encouraging enlistments, and authorizing the re-enlistments, for longer periods, of men whose terms of service are about to expire.§

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,*

[§ See the note at the end of chap. 700, post.]

1814.

Each effective, able bodied man, enlisted after the 1st Feb. 1814, &c., to receive 124 dollars, in lieu of the bounty in money and the three months' pay at the end of the service.

20 dolls. to be paid at the time of enlistment, &c.  
The wife and children, or the parents, if the recruit be killed in action, &c., to be allowed 24 dolls.

After the 1st Feb. 1814, so much of the 4th sec. of the act mentioned, as allows an advance of 24 dolls. &c. repealed.  
[\* Ante, ch. 477.]

8 dolls. to be paid to any soldier or citizen who procures an able bodied man to be enlisted, &c.

Noncommissioned officers, privates, &c. enlisted under the acts mentioned, may be re-enlisted for five years, or during the war.

[† Ante, ch. 376.]

[‡ Ante, ch. 480.]

Noncommissioned officers, privates, &c. re-enlisted under the preceding section, entitled to the bounty, &c.

in order to complete the present military establishment to the full number authorized by law with the greatest possible despatch, there shall be paid, to each effective able bodied man who shall, after the first day of February next, be enlisted into the army of the United States, to serve for the term of five years, or during the war, at his election, in lieu of the bounty in money and of the three months' pay at the expiration of the service now allowed by law, the sum of one hundred and twenty-four dollars; fifty dollars of which to be paid at the time the recruit is enlisted, fifty dollars when he shall be mustered and have joined some military corps for service, and twenty-four dollars when he shall be discharged from service; and the wife and children, and, if he leave no wife or children, the parents of such noncommissioned officer and soldier, enlisted as hereinbefore stated, who may be killed in action, or die in the service of the United States, shall be allowed and paid the sum of twenty-four dollars; and after the said first day of February next, so much of the fourth section of the act, entitled "An act for the more perfect organization of the army of the United States,"\* passed the twentieth day of January, one thousand eight hundred and thirteen, as allows to each able bodied man enlisted into the service of the United States, in the manner therein stated, an advance of twenty-four dollars on account of his pay, shall be, and the same is hereby, repealed.

SECT. 2. *And be it further enacted*, That the sum of eight dollars shall be paid to any noncommissioned officer, soldier, or citizen, who shall, after the first day of February next, furnish and procure to be enlisted, according to law, an able bodied man, to serve for the term of five years, or during the war.

SECT. 3. *And be it further enacted*, That every noncommissioned officer, musician, and private, who has been recruited in the regular army of the United States, under the authority of the act of the eighth of April, one thousand eight hundred and twelve, entitled "An act in addition to the act, entitled 'An act to raise an additional military force, passed January eleventh, one thousand eight hundred and twelve,'"† may be re-enlisted for the term of five years, or during the war; and that every noncommissioned officer, musician, and private, recruited under authority of the act of the twenty-ninth of January, one thousand eight hundred and thirteen, entitled "An act, in addition to the act, entitled 'An act to raise an additional military force, and for other purposes,'"‡ may be re-enlisted for five years, or during the war.

SECT. 4. *And be it further enacted*, That the noncommissioned officers, musicians, and privates, re-enlisted under the authority of the preceding section, shall be entitled to the bounty allowed by this act to recruits for five years, or for the war.

[Approved, January 27, 1814.]

**CHAP. 596. [LXVII.]** An act for the appointment of an additional judge for the Missouri territory, and for other purposes.

1814.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That there shall be appointed an additional judge for the Missouri territory, who shall hold his office for the term of four years, unless sooner removed, shall reside at or near the village of Arkansaw, and who shall possess and exercise, within the limits of the late district of Arkansaw, as fixed and established while the same was a part of the territory of Louisiana, or as the limits shall be established by the general assembly of the Missouri territory, the jurisdiction now possessed and exercised in said district, by the court of common pleas, as well as that possessed and exercised by the superior court within the said district, and to the exclusion of the original jurisdiction of the said court of common pleas and superior court within the same: *Provided always,* That the said superior court, or any judge thereof, in pursuance of the laws now in force in said territory, or of any laws hereafter to be made for the purpose, shall have full power and authority to issue writs of error to the court established by this act; and said superior court shall have cognizance thereof, and also of all appeals for error in law in all causes in which appeals are by law allowed from the courts of common pleas to said superior court.

An additional judge to be appointed for the Missouri territory, to hold his office for the term of four years, &c.

His jurisdiction, &c.

Proviso: the superior court, &c. empowered to issue writs of error, &c.

**SECT. 2.** *And be it further enacted,* That the said superior court is hereby authorized, upon the reversal of a judgment of the court established by this act, to render such judgment as the said court ought to have rendered, except where the reversal is in favor of the plaintiff in the original suit, and the debt or damages to be assessed are uncertain, in which case the cause shall be remanded for a final determination.

The superior court may render judgment on reversal, &c. except, &c.

**SECT. 3.** *And be it further enacted,* That no writ of error shall operate as a supersedeas, unless the plaintiff in error shall give security, to be approved of by a judge of the superior court, to prosecute his writ to effect, and pay the condemnation money, and all costs, or otherwise abide the judgment which may be rendered on such writ of error.

No writ of error to operate as a supersedeas, unless the plaintiff in error gives security, &c.

**SECT. 4.** *And be it further enacted,* That the judge to be appointed by virtue of this act shall appoint a clerk of said court, who shall be commissioned by the governor, and hold his office during the temporary government of said territory, unless sooner removed by said judge.

The judge to appoint a clerk, &c.

**SECT. 5.** *And be it further enacted,* That the said court established by this act shall hold two terms in each and every year, in the said village of Arkansaw, to commence on the first Mondays in April and September, annually, and shall continue in session until all the business before it shall be disposed of: *Provided always,* That the general assembly of the said territory shall have power to alter the times and place of holding the said court.

The court to hold two terms every year, in the village of Arkansaw, &c.

Proviso: the general assembly may alter the times and place of holding the court, &c.

**SECT. 6.** *And be it further enacted,* That the judge to be appointed by virtue of this act, shall receive the same salary, and

Salary of the judge the same as that of the judges of the su-

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superior court in Missouri.  
[\*See sec. 13, ch. 418, ante.]

payable in the same manner, which is established by law for judges of the said superior court in the said territory of Missouri.\*

[Approved, January 27, 1814.]

CHAP. 597. [LXVIII.] An act authorizing the president of the United States to cause certain regiments therein mentioned to be enlisted for five years, or during the war.†

[† See the note at the end of ch. 760, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States be, and he hereby is, authorized and empowered to cause to be enlisted, for the term of five years, or during the war, the fourteen regiments of infantry which are now by law authorized to be enlisted for the term of one year, or such number of them, or of the troops composing the same, as in his opinion will best promote the public service.*

The president empowered to cause to be enlisted for five years, &c. the 14 regiments of infantry authorized to be enlisted for one year, &c.

Each man enlisted under this act allowed the same bounty, &c. as men enlisted for five years, &c. Officers, privates, &c. to receive the same pay, clothing, &c.

SECT. 2. *And be it further enacted, That each man enlisted under the authority of this act, shall be allowed the same bounty, in money and land, as is now by law allowed to men enlisted for five years or during the war; and that the officers, noncommissioned officers, musicians, and privates, shall receive the same pay, clothing, subsistence, and forage, be entitled to the same benefits, be subject to the same rules and regulations, and be placed, in every respect, on the same footing, as the other regular troops of the United States.* [Approved, January 28, 1814.]

[‡ Private.]

CHAP. 598. [LXIX.] An act for the relief of Daniel Boone.‡

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That Daniel Boone be, and he is hereby, confirmed in his title to one thousand arpens of land, claimed by him by virtue of a concession made to him under the Spanish government, bearing date the twenty-eighth day of January, seventeen hundred and ninety-eight; and it shall be the duty of the recorder of land titles for the territory of Missouri, to issue to the said Daniel Boone, or to his heirs, a certificate, in the same manner, and of the same description, as the said Daniel Boone would have been entitled to receive, if his claim to the said land had been confirmed by the commissioners appointed for the purpose of ascertaining the rights of persons claiming land in the territory of Louisiana, or by the recorder of land titles for the said territory of Missouri.*

[Approved, February 10, 1814.]

Daniel Boone confirmed in his title to 1,000 arpens of land, &c.

The recorder for the territory of Missouri to issue to Daniel Boone, or his heirs, a certificate, &c.

[§ See the note at the end of ch. 760, post.]

Not exceeding three regiments of riflemen to be raised for five years, or during the war.

CHAP. 599. [LXX.] An act to raise three regiments of riflemen.§

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That there be immediately raised such number of regiments of riflemen, not exceeding three, as, in the opinion of the president, will*

~~shall~~ promote the military service, to serve for five years, or during the war, unless sooner discharged.

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SECT. 2. *And be it further enacted*, That each regiment shall consist of one colonel, one lieutenant colonel, two majors, one adjutant, one paymaster, one quartermaster, one surgeon, one surgeon's mate, one sergeant major, one quartermaster's sergeant, two principal musicians, and ten companies.

Organization of each regiment.

SECT. 3. *And be it further enacted*, That each company shall consist of one captain, one first lieutenant, one second lieutenant, one third lieutenant, and one ensign, five sergeants, four corporals, two musicians, and ninety privates.

Organization of each company.

SECT. 4. *And be it further enacted*, That each man recruited under the authority of this act be allowed the same bounty, in land and money, as is allowed by law to men enlisted for five years, or during the war; and that the officers, noncommissioned officers, musicians, and privates, shall receive the same pay, clothing, subsistence, and forage, be entitled to the same provisions for wounds or disabilities, the same benefits and allowances, and be placed, in every respect, on the same footing, as the other regular troops of the United States.

Each man recruited, &c. allowed the same bounty, &c. as men enlisted for five years, &c. Officers, private, &c. placed on the same footing as other regular troops.

SECT. 5. *And be it further enacted*, That each company of the regiment of riflemen, authorized to be raised by the act of April twelfth, one thousand eight hundred and eight, shall consist of ninety privates. [Approved, February 10, 1814.]

Each company of riflemen authorized by the act of 13th April, 1808, to consist of 90 privates.

CHAP. 600. [LXXI.] An act for the relief of William Stothart and Josiah Starkey.\*

[\* Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That William Stothart and Josiah Starkey, who imported into the United States, from the United Kingdom of Great Britain and Ireland, in the month of January or February, eighteen hundred and thirteen, on board the Tyber, twenty-eight bales of merchandise, shall be entitled to, and may avail themselves of, the provisions of the act, entitled "An act directing the secretary of the treasury to remit fines, forfeitures, and penalties, in certain cases,"† passed on the second day of January, eighteen hundred and thirteen, in the same manner, and to the same extent, as if the said merchandise had been shipped within the time limited by the said act. [Approved, February 12, 1814.]

William Stothart and Josiah Starkey, who imported from Great Britain 28 bales of merchandise, may avail themselves of the provisions of the act directing the secretary of the treasury to remit fines, &c.

[† Ante, ch. 472.]

CHAP. 601. [LXXII.] An act for the relief of William Piatt.‡

[‡ Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the proper accounting officers of the war department be, and they are hereby, authorized to adjust and settle the claim of William Piatt, and allow him the pay and emoluments of a deputy quartermaster general in the army of the United States, from the

The proper accounting officers of the war department authorized to settle the claim of William Piatt, and allow him the pay, &c. of a deputy-quarter-

**1814.** seventeenth day of July, one thousand eight hundred and eleven, until the twenty-seventh day of January, one thousand eight hundred and twelve, the amount whereof shall be paid to the said William Piatt, out of any moneys in the treasury, not otherwise appropriated. [*Approved, February 19, 1814.*]

master general  
in the army, for  
the time speci-  
fied, &c.

CHAP. 602. [LXXIII.] An act for giving further time to purchasers of public lands to complete their payments.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That every person who, prior to the first day of April, one thousand eight hundred and ten, had purchased any tract or tracts of land of the United States, not exceeding in the whole six hundred and forty acres, unless the tract purchased be a fractional section or sections, or fractional sections classed with an entire section, at any of the land offices, and whose lands have not already been actually sold, or reverted to the United States for nonpayment of part of the purchase money, shall be allowed the further time of three years, from and after the expiration of the present period already given by law,\* for completing the payment of the said purchase money; which further term of three years shall be allowed only on the following conditions: First, that all arrears of interest on the purchase money shall have been paid on or before the time shall have expired for completing the payment of the purchase money: *Provided,* That in all cases in which the time for completing the payment of the purchase money may have expired, or shall expire, before the first day of June next, the interest may be paid on or before that day. Second, that the residue of the sum due on account of the principal of such purchase shall be paid, with interest thereon, in three equal annual payments, as follows: viz. one-third of the said residue, with the interest which may be due thereon, within one year; another third of the said residue, with the interest which may be due thereon, within two years; and the remaining third of the said residue, with the interest due thereon, within three years, after the expiration of the time for completing the payment on account of such purchase, according to former laws. And in case of failure in paying, either the arrears of interest or any of the three instalments of principal, with the accruing interest, at the time and times abovementioned, the tract of land shall be forthwith advertised and offered for sale, in the manner, and on the terms, directed by law, in case of lands not paid for within the limited term, and shall revert in like manner, if the sum due, with interest, be not at such sale bidden and paid: *Provided,* That the benefit of this act shall not extend to any person or persons, on account of any purchase of any tract or tracts of land, made, at any of the land offices northwest of the river Ohio, prior to the first day of April, one thousand eight hundred and nine.

[*Approved, February 19, 1814.*]

Every person  
who, prior to  
the 1st April,  
1810, had pur-  
chased any tract  
of land, not ex-  
ceeding 640  
acres, unless,  
&c. and whose  
lands have not  
been sold, or re-  
verted, allowed  
the further time  
of three years  
for completing  
payment, &c.  
[\*Secante, chap.  
508.]

1st condition on  
which the fur-  
ther time is al-  
lowed.

Proviso; as to  
the payment of  
interest on or  
before the 1st  
June, 1814.

2d condition on  
which the fur-  
ther time is al-  
lowed.

In case of fail-  
ure in paying,  
&c. the tract to  
be advertised for  
sale, &c. to re-  
vert, &c.

Proviso; the  
benefit of this  
act not to extend  
to any person on  
account of any  
purchase, &c.  
prior to the 1st  
April, 1809.

CHAP. 603. [LXXIV.] An act to continue in force an act to raise ten additional companies of rangers.\*

1814.

[\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the act, entitled "An act to raise ten additional companies of rangers,"† passed the twenty-fifth day of February, one thousand eight hundred and thirteen, be, and the same is hereby, continued in force for one year from and after the date of the passage of this act. [Approved, February 24, 1814.]*

The act to raise 10 additional companies of rangers continued until the 24th Feb. 1815.  
[† Ante, ch. 490.]

CHAP. 604. [LXXV.] An act to authorize the president to receive into service certain volunteer corps.‡

[‡ See the note at the end of chap. 700, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States be, and he is hereby, authorized to receive into the service of the United States such proportion of the volunteers, authorized by the act of sixth February, one thousand eight hundred and twelve,§ and the act supplementary thereto, of the sixth July, one thousand eight hundred and twelve,|| and accepted under the authority of said acts, as, in his judgment, the public service may require: Provided, That the volunteers so received shall engage to serve for five years, or during the war, unless sooner discharged.*

The president authorized to receive into service such proportion of the volunteers authorized and accepted, &c. as may be required, &c.  
[§ Ante, ch. 344.]

SECT. 2. *And be it further enacted, That the volunteers which shall be taken into service under the authority of the preceding section, shall be entitled to the same bounty, pay, rations, clothing, forage, and emoluments of every kind, and to the same benefits and allowances, as the regular troops of the United States.*

[|| Ante, ch. 461.]  
Proviso; the volunteers received, to engage to serve five years, or, &c.  
The volunteers, to be taken into service, entitled to the same bounty, pay, &c. as the regular troops.

SECT. 3. *And be it further enacted, That the officers of corps of volunteers which shall be taken into service, shall rank, according to grade, and the dates of their commissions or appointments, with other officers of the army.¶*

The officers of volunteer corps to rank according to grade, with other officers, &c.  
[¶ See sec. 21, ch. 825, post.]

[Approved, February 24, 1814.]

CHAP. 605. [LXXVI.] An act to provide for the return, to their own districts, of vessels detained by the embargo in districts other than those where they are respectively owned or belong.\*\*

[\*\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That it shall be lawful for the president of the United States to authorize the collectors of the customs to grant permission to ships or vessels of the United States, which, at the time when the masters thereof received notice of the act passed on the seventeenth day of December last, "laying an embargo on all ships and vessels in the ports and harbors of the United States,"†† were in a district other than that where the said ships or vessels were owned or belonged, to return to the district where the owner or owners of such ships or vessels reside, in ballast, or with the cargoes, other than provisions, naval and military stores, which*

The president may authorize the collectors to grant permission to vessels, which, at the time of receiving notice of the embargo, were in districts other than those where they are owned, to return, &c.  
[†† Ante, ch. 809.]  
Provisions, &c. excepted.



1814.

Proviso; permission not to be granted until the owner, &c. gives bond in four times the value, &c.

Vessels allowed to return, and proceeding contrary to the embargo of this act, forfeited, and the master subject to fine and imprisonment, &c.  
[Ante, ch. 889.]

The master of every vessel, &c. to deliver a list of seamen on board to the collector, the whole of whom are to be landed, &c. and a penalty of \$500 for every seaman, except, &c.

No vessel receiving permission, to take on board more seamen than are sufficient, &c. the collector to be the judge, &c.

No passengers, other than the owner, &c.

No vessel entitled to the benefit of this act, unless application be made within 3 months, &c.

The president may instruct the collectors, &c. to clear out vessels wholly employed in transporting military or naval stores on public account, &c.

If any vessel ceases to be employed, &c. she may return to the port of lading, or, in ballast, to the district to which she belongs, &c.

were on board the same when the masters received notice of the act as aforesaid: *Provided*, That no such permission shall be granted until the owner or master of such ship or vessel, together with one or more sufficient sureties, shall have given bond, in four times the value of such vessel, and of the cargo, if any there be on board, conditioned that the said ship or vessel shall not proceed to any other port or place than that mentioned in her clearance, nor put any article on board of any other vessel or boat during the voyage. And if such ship or vessel shall proceed to any foreign port or place, or put any article on board of any other vessel or boat during the voyage, or be guilty of any other act contrary to the provisions of the act beforementioned, "laying an embargo on all ships and vessels in the ports and harbors of the United States,"\* or contrary to the provisions of this act, the said ship or vessel, her tackle, and apparel, shall be forfeited, and the master shall, moreover, forfeit and pay a sum not exceeding twenty thousand dollars, and shall be imprisoned for a term not less than six months nor exceeding one year.

SECT. 2. *And be it further enacted*, That the master of every vessel receiving a permission under this act shall, before the departure of the same from port, make out, under oath, and deliver to the collector of the district, a list of the seamen on board the same, the whole of which shall be landed at the port or place to which the vessel is permitted to proceed, under penalty of five hundred dollars, to be recovered of the master of such vessel, before any court of the United States having competent jurisdiction, for every seaman which shall not be thus landed, except death or other unavoidable casualty shall prevent the same. And no vessel receiving such permission shall take on board a number of seamen more than sufficient to navigate the same; of the sufficiency of which number the collector shall be the judge, and shall be authorized to refuse a clearance and permission to depart, if the number of seamen on board shall exceed that which may in his opinion be necessary. No passengers shall be transported in such vessel, other than the owner, supercargo, or agent, for the same, or for the cargo, if any there be on board.

SECT. 3. *And be it further enacted*, That no ship or vessel shall be entitled to the benefit of this act, unless the permission hereby authorized to be granted shall be applied for within three months after the passage thereof.

SECT. 4. *And be it further enacted*, That the president of the United States may instruct the collectors of the customs, under such restrictions and limitations as he may deem proper, to clear out, for any district within the United States, or the territories thereof, any vessels wholly employed in the transportation of military or naval stores, provisions, or other articles, on public account; and if any such vessel, after the delivery of such public property at any port or place within the United States, or the territories thereof, shall cease to be employed in the transportation of public property as aforesaid, such vessel may be permitted to return to the port or place of lading, or proceed, in ballast only, to the district to which such vessel may belong, any thing in the

"Act laying an embargo on all ships and vessels in the ports and harbors of the United States,"\* passed during the present session of congress, to the contrary notwithstanding. 1814.

[*Ante*, ch. 599.]  
[Approved, March 4, 1814.]

CHAP. 606. [LXXVII.] An act to authorize the issuing of treasury notes for the service of the year one thousand eight hundred and fourteen.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby; authorized to cause treasury notes, for a sum not exceeding five millions of dollars, to be prepared, signed, and issued, in the manner hereinafter provided.

The president authorized to cause treasury notes, for not exceeding \$5,000,000 of dollars, to be issued.

SECT. 2. *And be it further enacted*, That the president of the United States be, and he is hereby, authorized to cause treasury notes for a further and additional sum, not exceeding, in the whole, five millions of dollars, or such part thereof as he shall deem expedient, to be prepared, signed, and issued, in the manner hereinafter provided: but the amount of money borrowed or obtained for the notes which may be issued by virtue of this section, shall be deemed and held to be in part of the sum which may be authorized to be borrowed by virtue of any act authorizing a loan which may be passed during the present session of congress.

The president authorized to cause \$5,000,000 of dollars, additional to be issued in treasury notes, &c.

The amount of notes issued by virtue of this section, to be in part of the sum that may be authorized to be borrowed, &c.

SECT. 3. *And be it further enacted*, That the said treasury notes shall be reimbursed by the United States at such places, respectively, as may be expressed on the face of such notes, one year respectively after the day on which the same shall have been issued; from which day of issue they shall bear interest, at the rate of five and two-fifths per centum a year, payable to the owner or owners of such notes, at the treasury, or by the proper commissioner of loans, or by the officer designated for that purpose, at the places and times, respectively, designated on the face of said notes for the payment of principal.

The notes to be reimbursed at the places expressed on the face of them, one year after the day of issuing; and to bear interest from that day, at the rate of 5 and 2-5ths per cent. a year, &c.

SECT. 4. *And be it further enacted*, That the said treasury notes shall be, respectively, signed in behalf of the United States, by persons to be appointed for that purpose by the president of the United States; two of which persons shall sign each note, and shall each receive as a compensation for that service, at the rate of one dollar and twenty-five cents for every hundred notes thus signed by them, respectively: And the said notes shall, likewise, be countersigned by the commissioner of loans for that state where the notes may respectively be made payable, or by the register of the treasury, if made payable in the district of Columbia, or by a person to be appointed for that purpose by the president of the United States, if made payable in a state for which there is no commissioner of loans; which person or persons thus appointed shall also receive, as a compensation for that service, at the rate of one dollar and twenty-five cents for every hundred notes thus signed by him or them, respectively.

The notes to be signed by persons to be appointed by the president.

Two persons to sign each note; their compensation, &c.

The notes to be countersigned, &c.

Compensation to the persons countersigning, &c.

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The secretary of the treasury may issue the notes in payment of supplies, or for debts, &c.

Or borrow, on the credit of the notes, &c.

Or sell, &c.

It is a good execution of this provision to pay the notes to such banks as will receive them at par, and give credit, &c.

The secretary of the treasury may employ an agent to sell the notes, &c.

Commission to agents.

Not exceeding 12,500 dolls. appropriated for paying commissions, &c.

The notes transferrable by delivery and assignment, &c.

The treasury notes to be every where received for duties, taxes, and for lands sold, &c. On every payment credit to be given for principal and interest due, &c.

Mode of computing interest, &c.

Persons making payment to the United States in treasury notes, &c. to give duplicate certificates, &c.

Collectors, &c. receiving treasury notes in

SECT. 5. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to cause to be issued such portion of the said treasury notes as the president may think expedient, in payment of supplies or debts due by the United States, to such public creditors, or other persons, as may choose to receive such notes in payment as aforesaid, at par; and the secretary of the treasury is further authorized, with the approbation of the president of the United States, to borrow, from time to time, not under par, such sums as the president may think expedient, on the credit of such notes; or to sell, not under par, such portion of the said notes as the president may think expedient: And it shall be a good execution of this provision, to pay such notes to such bank or banks as will receive the same at par, and give credit to the treasurer of the United States for the amount thereof, on the day on which the said notes shall thus be issued and paid to such bank or banks, respectively.

SECT. 6. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to employ an agent or agents for the purpose of selling any portion of the notes which may be issued by virtue of this act. A commission, not exceeding one-quarter of one per cent. on the amount thus sold, may, by the secretary of the treasury, be allowed to such agent or agents; and a sum not exceeding twelve thousand five hundred dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, is hereby appropriated for paying such commission or commissions as may be thus allowed.

SECT. 7. *And be it further enacted*, That the said treasury notes shall be transferrable by delivery, and assignment, endorsed thereon by the person to whose order the same shall, on the face thereof, have been made payable.

SECT. 8. *And be it further enacted*, That the said treasury notes, wherever made payable, shall be every where received in payment of all duties and taxes laid by the authority of the United States, and of all public lands sold by the said authority. On every such payment credit shall be given for the amount of both the principal and the interest which, on the day of such payment, may appear due on the note or notes thus given in payment; and the said interest shall, on such payments, be computed at the rate of one cent and one-half of a cent per day on every hundred dollars of principal, and each month shall be computed as containing thirty days.

SECT. 9. *And be it further enacted*, That any person making payment to the United States in the said treasury notes, into the hands of any collector, receiver of public moneys, or other public officer or agent, shall, on books kept according to such forms as shall be prescribed by the secretary of the treasury, give duplicate certificates of the number and respective amount of principal and interest of each and every treasury note thus paid by such person: and every collector, receiver of public moneys, or other public officer or agent, who shall thus receive any of the said

treasury notes in payment, shall, on payment of the same into the treasury, or into one of the banks where the public moneys are or may be deposited, receive credit both for the principal and for the interest, computed as aforesaid, which, on the day of such last mentioned payment, shall appear due on the note or notes thus paid in; and he shall be charged for the interest accrued on such note or notes from the day on which the same shall have been received by him, in payment as aforesaid, to the day on which the same shall be paid by him as aforesaid: *Provided always*, That no such charge or deduction shall be made with respect to any bank into which payments, as aforesaid, may be made to the United States, either by individuals, or by collectors, receivers, or other public officers or agents, and which shall receive the same as specie, and give credit to the treasurer of the United States for the amount thereof, including the interest accrued and due on such notes on the day on which the same shall have been thus paid into such bank on account of the United States.

SECT. 10. *And be it further enacted*, That the commissioners of the sinking fund be, and they are hereby, authorized and directed to cause to be reimbursed and paid, the principal and interest of the treasury notes which may be issued by virtue of this act, at the several times when the same, according to the provisions of this act, should be thus reimbursed and paid; and the said commissioners are further authorized to make purchases of the said notes, in the same manner as of other evidences of the public debt, and at a price not exceeding par, for the amount of the principal and interest due at the time of purchase of such notes. So much of the funds constituting the annual appropriation of eight millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest, and such part of the principal, of the said debt as the United States are now pledged annually to pay and reimburse, including therein the interest and principal which may become payable upon any loan or loans which may be contracted by virtue of any law passed during the present session of congress, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement or purchase of the principal, of the said notes; and so much of any moneys in the treasury, not otherwise appropriated, as may be necessary for that purpose, is hereby appropriated for making up any deficiency in the funds thus pledged and appropriated for paying the principal and interest as aforesaid; and the secretary of the treasury is hereby authorized and directed, for that purpose, to cause to be paid, to the commissioners of the sinking fund, such sum or sums of money, and at such time or times, as will enable the said commissioners faithfully and punctually to pay the principal and interest of the said notes.

SECT. 11. *And be it further enacted*, That a sum of twenty thousand dollars, to be paid out of any money in the treasury, not otherwise appropriated, be, and the same is hereby, appro-

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payment, to be allowed credit for principal and interest up to the day, &c.

Collectors, &c. to be charged for interest accrued, from the day of receiving to the day of paying over, &c. *Provided*; no deduction with respect to banks which receive the notes as specie, and give credit, &c.

The commissioners of the sinking fund to cause the principal and interest of the treasury notes to be reimbursed and paid, &c.

The commission is authorized to make purchases of the notes, &c.

So much of the annual appropriation of 8,000,000 of dollars, &c. as may be wanted, after, &c. pledged and appropriated for the payment of interest and principal of the notes.

Unappropriated moneys in the treasury appropriated for making up any deficiency, &c.

The secretary of the treasury directed to cause to be paid to the commissioners, &c. the necessary sums, &c.

20,000 dollars appropriated for defraying the expenses of issuing the treasury

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treasury notes authorized by this act.

Imprisonment, hard labor, and fine, for forging, counterfeiting, &c. any treasury note, issued by virtue of this act.

appropriated for defraying the expense of preparing, printing, engraving, signing, and otherwise incident to the issuing of, the treasury notes authorized by this act.

SECT. 12. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any note, in imitation of, or purporting to be, a treasury note as aforesaid; or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering, any treasury note, issued as aforesaid; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited note, purporting to be a treasury note as aforesaid, knowing the same to be falsely made, forged, or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered treasury note, issued as aforesaid, knowing the same to be falsely altered; every such person shall be deemed and adjudged guilty of felony, and being thereof convicted, by due course of law, shall be sentenced to be imprisoned and kept to hard labor for a period not less than three years, nor more than ten years, and be fined in a sum not exceeding five thousand dollars. [*Approved, March 4, 1814.*]

CHAP. 607. [LXXVIII.] An act to establish the mode of laying off the territory of Indiana into districts, for the election of its members of the legislative council.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the house of representatives of the Indiana territory be, and it is hereby empowered, from time to time, to lay off the said territory into five districts, for the election of the members of the legislative council of the territory aforesaid.

SECT. 2. *And be it further enacted*, That the districts established by governor Harrison, in the year of our Lord one thousand eight hundred and nine, shall remain, as the lawfully authorized districts for the election of the members of the legislative council of said territory, until the house of representatives thereof shall have exercised the power vested in that body by the first section of this act. [*Approved, March 4, 1814.*]

CHAP. 608. [LXXIX.] An act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That if any officer, seaman, or marine, serving on board of any private armed ship or vessel, bearing a commission of letter of marque, shall die, or shall have died since the eighteenth day of June, in the year of our Lord one thousand eight hundred and twelve, by reason of a wound received in the line of his duty,

Officers, seamen, or marines, on board private armed vessels, dying, or having died, &c. by reason of wounds, their widows or chil-

leaving a widow, or if no widow, a child or children under sixteen years of age, such widow, or, if no widow, such child or children, shall be placed on the pension list by the secretary of the navy, who shall allow to such widow, child or children, half the monthly pension to which the rank of the deceased would have entitled him, for the highest rate of disability, under "An act regulating pensions to persons on board private armed ships;"\* which allowance shall continue for the term of five years; but in case of the death or intermarriage of such widow before the expiration of the term of five years, the half pay, for the remainder of the term, shall go to the child or children of the deceased: *Provided*, That the half pay shall cease on the death of such child or children. And the several pensions hereby directed shall be paid, by direction of the secretary of the navy, out of the fund provided by the seventeenth section of an act, entitled "An act concerning letters of marque, prizes, and prize goods,"† and from no other.

SECT. 2. *And be it further enacted*, That if any seaman or marine belonging to the navy of the United States shall die, or if any officer, seaman, or marine, belonging to the navy of the United States, shall have died, since the eighteenth day of June, in the year of our Lord one thousand eight hundred and twelve, by reason of a wound received in the line of his duty, leaving a widow, or, if no widow, a child or children, under sixteen years of age, such widow, or, if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time of his death, which allowance shall continue for the term of five years; but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay, for the remainder of the term, shall go to the child or children of the deceased: *Provided*, That such half pay shall cease on the death of such child or children. And the money required for this purpose shall be paid out of the navy pension fund, under the direction of the commissioners of that fund. [Approved, March 4, 1814.]

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children to be placed on the pension list, &c. at half the monthly pension to which the rank of the deceased would have entitled him under the act mentioned, for five years.

\* Ante, ch. 487. In case of the death or intermarriage of the widow, before, &c. the pension to go to the child or children; provided, &c.

The pensions hereby directed, to be paid out of the fund provided by the 17th sec. of the act mentioned.

† Ante, ch. 436. Any seaman or marine of the navy dying, &c. or any officer of the navy having died, &c. by reason of wounds, &c. their widows or children to receive half the monthly pay, &c. for five years.

If the widow dies or marries, before, &c. the half pay to go to the child or children; provided, &c.

The money to be paid out of the navy pension fund, &c.

CHAP. 609. [LXXX.] An act authorizing the president of the United States to cause to be built, equipped, and employed, one or more floating batteries, for the defence of the waters of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the sum of five hundred thousand dollars be, and the same is hereby, appropriated for the purpose of building, equipping, and putting into service, one or more floating batteries, of such magnitude and construction as shall appear to the president of the United States best adapted to attack, repel, or destroy, any of the ships of the enemy which may approach the shores or enter the waters of the United States; and that the sum hereby appropriated shall be paid out of any moneys in the treasury, not otherwise appropriated. [Approved, March 9, 1814.]

500,000 dollars appropriated for building, equipping, &c. one or more floating batteries, &c.

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## CHAP. 610. [LXXXI.] An act for the relief of Henry Fanning.\*

[\* Private.]

The secretary of the treasury authorized to cause Henry Fanning to be discharged from imprisonment, &c.  
 Proviso; present and future estate liable, &c.  
 Proviso; nothing in this act to affect the liability of any co-obligor, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the secretary of the treasury be, and he is hereby, authorized to cause to be discharged from his imprisonment Henry Fanning, of the city of New York: *Provided, however, That* any estate, real or personal, which the said Henry Fanning may have or hereafter acquire, shall be liable to the satisfaction of the said judgment, in the same manner as if he had not been imprisoned and discharged: *And provided further, That* nothing in this act contained shall be so construed as to affect the liability of any co-obligor that may have been bound with the said Henry Fanning for the payment of any money to the United States.

[Approved, March 9, 1814.]

[† Private.]

## CHAP. 611. [LXXXII.] An act for the relief of James Crawford.†

James Crawford confirmed in the purchase of the west half of section No. 29, &c. in the district of lands offered for sale at Steubenville. Proviso; James Crawford to complete the payment of the purchase money, as specified, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* James Crawford be, and he is hereby, confirmed in the purchase of the west half of section number twenty-nine, in township number seven, of range number two, in the district of lands offered for sale at Steubenville: *Provided, That* the said James Crawford shall complete the payment of the purchase money for the land contained in the southwest quarter of the aforesaid section, at the price per acre, and on the terms and conditions, specified in the certificate of the register of the land office, for the west half of the said section, bearing date April fourth, one thousand eight hundred and eleven; and shall also complete the payment for the northwest quarter of said section, at the price of eight dollars an acre. The instalments of the purchase money for the said northwest quarter shall be considered as due and becoming due on the respective days specified for making payment in the aforesaid certificate of the register; and the sum of three hundred and twenty dollars, paid on account of the purchase money of the said northwest quarter, and which became forfeited by nonpayment of part of the purchase money, shall, by the register and receiver of public moneys for the said district, be placed to the credit of the said James Crawford, and be considered as part of the purchase money for the said northwest quarter section. And the said James Crawford, his heirs, or assigns, shall be entitled to a patent for the land contained in the west half of the aforesaid section, on his completing the payment of the purchase money, according to the provisions of this act.

[Approved, March 9, 1814.]

Patent, &amp;c.

CHAP. 612. [LXXXIII.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 613. [LXXXIV.] An act making appropriations for the support of the military establishment of the United States, for the year one thousand eight hundred and fourteen. 1814. [Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for defraying the expenses of the military establishment of the United States, including the volunteers and militia in their actual service, for the year one thousand eight hundred and fourteen, for ordnance, fortifications, and the Indian department, the following sums, including the sum of one million five hundred thousand dollars already appropriated by the first section of the act, entitled "An act making certain partial appropriations for the year one thousand eight hundred and fourteen,"† be, and the same are hereby, respectively, appropriated; that is to say:

Sums appropriated for defraying the expenses of the military establishment, &c. for the year 1814.

[† Ante, ch. 590.]

For the pay of the army of the United States, including the private servants kept by officers, and for the pay of the volunteers and militia in the actual service of the United States, seven millions nine hundred and sixty-five thousand three hundred and sixty dollars.

For the pay of the army, volunteers, and militia.

For forage to officers, two hundred and sixty-four thousand five hundred and seventy-six dollars.

For forage to officers.

For subsistence of the army, and of volunteers and militia, four million nine hundred and seventeen thousand four hundred and seventy dollars.

For subsistence of the army, &c.

For camp and field equipage, four hundred and sixty thousand dollars.

For camp and field equipage.

For the medical and hospital department, two hundred and fifty-five thousand dollars.

For the medical and hospital department.

For bounties and premiums, two million five hundred and forty thousand dollars.

For bounties and premiums.

For clothing, two million thirty-six thousand dollars.

For clothing.

For the quartermaster's department, three million five hundred thousand dollars.

For the quartermaster's department.

For ordnance and ordnance stores, including arsenals, magazines, and armories, seven hundred thousand dollars.

For ordnance, &c.

For fortifications, five hundred thousand dollars.

For fortifications.

For contingencies, seven hundred thousand dollars.

For contingencies.

For the Indian department, four hundred and sixty-four thousand five hundred dollars.

For the Indian department.

SECT. 2. *And be it further enacted, That* the several appropriations hereinbefore made shall be paid out of any moneys in the treasury, not otherwise appropriated.

The preceding appropriations to be paid out of moneys in the treasury, &c.

[Approved, March 19, 1814.]

CHAP. 614. [LXXXV.] An act making appropriations for the support of the navy of the United States, for the year one thousand eight hundred and fourteen.† [Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for defraying the expenses of the navy, for the year one thou-

Sums appropriated for defraying the expenses



1814.  
of the navy for  
the year 1814.

[\* Ante, ch. 590.]

For pay and  
subsistence of  
officers, and pay  
of seamen.

For provisions.

For medicines,  
&c.

For repairs of  
vessels.

For contingent  
expenses, &c.

For ordnance,  
&c.

For navy yards,  
&c.

For pay and  
subsistence of  
the marine  
corps.

For clothing for  
the marine  
corps.

For military  
stores for the  
marine corps.

For contingent  
expenses for the  
marine corps.

The preceding  
appropriations  
to be paid out  
of moneys in the  
treasury, &c.

sand eight hundred and fourteen, the following sums, including the sum of one million of dollars already appropriated by the act, entitled "An act making certain partial appropriations for the year one thousand eight hundred and fourteen,"\* be, and the same hereby are, respectively, appropriated; that is to say:

For pay and subsistence of the officers, and pay of the seamen, two million five hundred and seventy-nine thousand three hundred and forty-one dollars.

For provisions, one million four hundred and thirty-nine thousand nine hundred and two dollars and fifty-two cents.

For medicines, hospital stores, and all expenses on account of the sick, one hundred and twenty thousand dollars.

For repairs of vessels, one million five hundred thousand dollars.

For contingent expenses, including freight, transportation, and recruiting expenses, five hundred thousand dollars.

For ordnance, ammunition, and military stores, three hundred thousand dollars.

For navy yards, docks, and wharves, one hundred thousand dollars.

For pay and subsistence of the marine corps, two hundred and eighteen thousand two hundred and seventy-nine dollars and fifty cents.

For clothing for the same, seventy-one thousand seven hundred and eighty-eight dollars and ten cents.

For military stores for the same, twenty-seven thousand six hundred and eight dollars and seventy-five cents.

For contingent expenses for the same, forty-six thousand dollars.

SECT. 2. *And be it further enacted*, That the several appropriations hereinbefore made shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, March 19, 1814.]

CHAP. 615. [LXXXVI.] An act in addition to an act, entitled "An act allowing a bounty to the owners, officers, and crews, of the private armed vessels of the United States."†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in lieu of the bounty now allowed by law, the sum of one hundred dollars be paid to the owners, officers, and crews, of the private armed vessels of the United States, commissioned as letters of marque, for each and every prisoner by them captured and delivered to an agent authorized to receive him in any port of the United States, or of a power at war with Great Britain, or delivered at any station within the dominions of the king of Great Britain established for the exchange of prisoners of war, whereby such prisoner shall be actually placed and allowed, by the government of the kingdom of Great Britain and Ireland, in the account of prisoners to the credit of the United States. And

[† Obsolete. See orig. act, of 3d Aug. 1813; ante, chap. 533.]

100 dolls. to be paid to the owners, officers, and crews, of private armed vessels, &c. for every prisoner captured and delivered to an agent authorized to receive him, &c.

the secretary of the treasury is hereby authorized and required to pay, or cause to be paid, to such owners, officers, and crews, of private armed vessels, commissioned as aforesaid, or their agents, the aforesaid sum for each prisoner captured and delivered as aforesaid. 1814.  
The secretary of the treasury required to pay the bounty, &c.

SECT. 2. *And be it further enacted*, That, for the purposes aforesaid, the sum of two hundred thousand dollars, out of any money in the treasury, not otherwise appropriated, be, and the same is hereby, appropriated. [*Approved, March 19, 1814.*] 200,000 dolls. appropriated for the purposes of this act.

CHAP. 616. [LXXXVII.] An act making appropriations for the support of government for the year one thousand eight hundred and fourteen.\*

[\* Obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, for the expenditure of the civil list in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants; for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of lighthouses, beacons, buoys, and public piers; for defraying the expenses of surveying the public lands, and for satisfying certain miscellaneous claims, the following sums be, and the same are hereby, respectively, appropriated; that is to say:

For compensation granted by law to the members of the senate and house of representatives, their officers, and attendants, two hundred and fifty-two thousand two hundred and fifty-five dollars. Sums appropriated for the objects mentioned.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of congress, fifty-two thousand dollars. For members of congress, their officers, &c.

For the expenses of the library of congress, including the librarian's allowance for the year one thousand eight hundred and fourteen, eight hundred dollars. For contingent expenses of congress.

For compensation to the president and vice president of the United States, thirty thousand dollars. For the library of congress, &c.

For compensation to the secretary of state, clerks, and persons employed in that department, including a clerk on old records, and a clerk and messenger in the patent office, fifteen thousand nine hundred and thirty-eight dollars. For the president and vice president.

For additional compensation to the clerks in said department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"† one thousand and seventy-two dollars and fifty cents. For the secretary of state, clerks, &c.

For the incidental and contingent expenses of the said department, including the expense of printing and distributing ten thousand four hundred copies of the laws of the first and second session of the thirteenth congress, and printing the laws in newspapers, twenty thousand two hundred and fifty dollars. Additional for clerks not exceeding 15 per cent. &c.

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For the secretary of the treasury, clerks, &c.

For translating foreign languages, allowance to the person employed in transmitting passports and sealetters, and for stationery and printing in the office of the secretary of the treasury, one thousand five hundred dollars.

For the comptroller of the treasury, clerks, &c.

[\* Ante, ch. 41.]

For contingent expenses in the comptroller's office.

For the auditor, clerks, &c.

For contingent expenses in the auditor's office.

For the treasurer, clerks, &c.

[† Ante, ch. 41.]

For contingent expenses in the treasurer's office.

For the commissioner of the general land office, clerks, &c.

For contingent expenses of the general land office.

For the commissioner of the revenue, clerks, &c.

For stationery, printing, and contingent expenses of the revenue office, &c.

For the register of the treasury, clerks, &c.

Additional for the clerks in the treasury department, not exceeding 15 per cent. &c.

[‡ Ante, ch. 41.]

For compensation to the secretary of the treasury, clerks, and persons employed in his office, thirteen thousand two hundred and ninety-nine dollars and eighty-one cents.

For expense of translating foreign languages, allowance to the person employed in transmitting passports and sealetters, and for stationery and printing in the office of the secretary of the treasury, one thousand five hundred dollars.

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, including the sum of one thousand eight hundred and eighty-nine dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,\* fourteen thousand eight hundred and sixty-six dollars.

For expense of stationery and printing, and contingent expenses, in the comptroller's office, eight hundred dollars.

For compensation to the auditor of the treasury, clerks, and persons employed in his office, twelve thousand two hundred and twenty-one dollars.

For expense of stationery and printing, and contingent expenses in the auditor's office, five hundred dollars.

For compensation to the treasurer, clerks, and persons employed in his office, including the sum of one thousand dollars for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,† seven thousand two hundred and twenty-seven dollars and forty-five cents.

For expense of stationery and printing, and contingent expenses in the treasurer's office, three hundred dollars.

For compensation to the commissioner of the general land office, clerks, and persons employed in his office, twelve thousand four hundred and ten dollars.

For expense of stationery and printing, and contingent expenses of the general land office, three thousand seven hundred dollars.

For compensation to the commissioner of the revenue, clerks, and persons employed in his office, nine thousand four hundred and ten dollars.

For expense of stationery and printing, and contingent expenses of the revenue office, including the sum of five thousand three hundred and twenty-five dollars seventy-three cents, the amount of expenditures for these objects during the year one thousand eight hundred and thirteen, for which no appropriation has been made, nine thousand nine hundred and seventy-eight dollars and thirty-six cents.

For compensation to the register of the treasury, clerks, and persons employed in his office, sixteen thousand and fifty-two dollars and two cents.

For additional compensation to the clerks in the treasury department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"‡ six thousand six hundred and thirty-four dollars and nine cents.

For compensation to the messenger of the register's office, for stamping and arranging ships' registers, ninety dollars. 1814.

For expense of stationery and printing, and contingent expenses of the register's office, two thousand eight hundred dollars.

For fuel, and other contingent expenses of the treasury department, four thousand dollars.

For the purchase of books, maps, and charts, for the treasury department, four hundred dollars.

For compensation to a superintendent and two watchmen, employed to secure the buildings and records of the treasury department, during the year one thousand eight hundred and fourteen, including expenses and repairs of two fire engines, buckets, and lanterns, one thousand one hundred dollars.

For defraying the expense of stating and printing the public accounts for the year one thousand eight hundred and fourteen, one thousand two hundred dollars.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

For compensation to the secretary of war, clerks, and persons employed in his office, including the sum of three thousand nine hundred and sixty dollars, in addition to the sum allowed by the act of April twenty-first, one thousand eight hundred and six,\* fifteen thousand two hundred and ten dollars.

For expense of fuel, stationery, printing, and other contingent expenses in the office of the secretary of war, two thousand dollars.

For compensation to the accountant of the war department, clerks, and persons employed in his office, including the sum of fifteen thousand dollars for clerk hire, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,† twenty-five thousand nine hundred and ten dollars.

For contingent expenses in the office of the accountant of the war department, one thousand dollars.

For additional compensation to the clerks in the war department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"‡ two thousand two hundred and twenty-six dollars.

For compensation to the clerks and messenger in the office of the paymaster of the army, nine thousand five hundred dollars.

For compensation to the superintendent general of military supplies, clerks, and persons employed in his office, ten thousand four hundred and ten dollars.

For contingent expenses in the office of the superintendent general of military supplies, five hundred dollars.

For compensation to the clerks in the adjutant and inspector general's office, one thousand five hundred dollars.

For compensation to the secretary of the navy, clerks, and persons employed in his office, including the sum of one thousand six hundred dollars in addition to the sum allowed by the act of

For stamping and arranging ships' registers, &c.

For contingent expenses of the register's office.

For fuel, &c. for the treasury department.

For the purchase of books, &c. for the treasury department.

For a superintendent and watchmen, to secure the buildings and records of the treasury department, &c.

For stating and printing the public accounts, &c.

For the secretary of the commissioners of the sinking fund.

For the secretary of war, clerks, &c.

\* Ante, ch. 41.

For contingent expenses in the office of the secretary of war.

For the accountant of the war department, clerks, &c.

† Ante, ch. 41.

For contingent expenses in the accountant's office.

Additional, to the clerks in the war department, not exceeding 15 per cent. &c.

‡ Ante, ch. 41.

For clerks and messenger in the office of the paymaster, &c.

For the superintendent general of military supplies, clerks, &c.

For contingent expenses in the superintendent general's office, &c.

For clerks in the adjutant and inspector general's office.

For the secretary of the navy, clerks, &c.

1814. the twenty-first April, one thousand eight hundred and six,\*

[\* Ante, ch. 41.] eleven thousand four hundred and ten dollars.

For contingent expenses in the office of the secretary of the navy.  
For the accountant of the navy, clerks, &c.

For contingent expenses in the office of the secretary of the navy, two thousand five hundred dollars.

For compensation to the accountant of the navy, clerks, and persons employed in his office, including seven hundred and fifty dollars for a deficiency in the appropriation for the year one thousand eight hundred and thirteen, and a further sum of three thousand dollars in addition to the sum allowed by the act of April twenty-first, one thousand eight hundred and six,† fourteen thousand one hundred and sixty dollars.

[† Ante, ch. 41.]

For contingent expenses in the accountant's office.  
Additional, for the clerks in the navy department, not exceeding 15 per cent. &c.

For contingent expenses in the office of the accountant of the navy, one thousand dollars.

For additional compensation to the clerks in the navy department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"‡ one thousand nine hundred and thirty-five dollars.

[‡ Ante, ch. 41.]

For the postmaster general, assistants, clerks, &c.

For compensation to the postmaster general, assistant postmasters general, clerks, and persons employed in the general post office, including one thousand two hundred and three dollars and twenty-five cents, for deficiencies in the appropriations for the years one thousand eight hundred and twelve, and one thousand eight hundred and thirteen, and the sum of five thousand seven hundred and fifty-five dollars, in addition to the sum allowed for the compensation of clerks by the act of April twenty-first, one thousand eight hundred and six,§ twenty-three thousand one hundred and sixty-three dollars and twenty-five cents.

[§ Ante, ch. 41.]

For contingent expenses of the general post office.  
Additional, for the clerks employed in the general post office, not exceeding 15 per cent. &c.

For contingent expenses of the general post office, two thousand eight hundred dollars.

For additional compensation to the clerks employed in the general post office, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"|| one thousand four hundred and one dollars and seventy-five cents.

[|| Ante, ch. 41.]

For loan officers.

For compensation to the several loan officers, thirteen thousand two hundred and fifty dollars.

For the clerks of the commissioners of loans, &c.

For compensation to the clerks of the commissioners of loans, including a sum of two thousand dollars in addition to the amount heretofore allowed by law, and for allowance to certain loan officers, in lieu of clerk hire, and to defray the authorized expenses of the several loan offices, seventeen thousand dollars.

For the surveyor general and clerks.

For compensation to the surveyor general and his clerks, three thousand two hundred dollars.

For the surveyor of lands south of Tennessee, clerks, &c.

For compensation to the surveyor of lands south of Tennessee, and the clerks employed in his office, and for stationery and other contingencies, three thousand two hundred dollars.

For the officers of the mint:  
Director.  
Treasurer.

For compensation to the officers of the mint, viz:

The director, two thousand dollars.

The treasurer, one thousand two hundred dollars.

The assayer, one thousand five hundred dollars.

The chief coiner, one thousand five hundred dollars.

The melter and refiner, one thousand five hundred dollars.

The engraver, one thousand two hundred dollars.

One clerk at seven hundred dollars.

One clerk at five hundred dollars.

For wages to the persons employed in the different operations of the mint, including the sum of one thousand dollars allowed to an assistant coiner and die forger, and six hundred dollars allowed to an assistant engraver, eight thousand five hundred dollars.

For repairs of furnaces, cost of iron and machinery, rents, and other contingent expenses of the mint, three thousand seven hundred dollars.

For allowances for wastage in the gold and silver coinage, three thousand dollars.

For compensation to the governor, judges, and secretary, of the Mississippi territory, nine thousand dollars.

For cost of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Indiana territory, six thousand six hundred dollars.

For cost of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Michigan territory, six thousand six hundred dollars.

For cost of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary of the Missouri territory, seven thousand eight hundred dollars.

For cost of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Illinois territory, six thousand six hundred dollars.

For cost of stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, two thousand dollars.

For compensation granted by law to the chief justice, the associate judges, and district judges of the United States, including the chief justice and associate judges of the district of Columbia, and the attorney general, sixty-two thousand dollars.

For like compensations granted to the several district attorneys of the United States, including those of the several territories, four thousand six hundred and fifty dollars.

For like compensations granted to the several marshals for the districts of Maine, New Hampshire, Vermont, New Jersey, North Carolina, Kentucky, Ohio, East and West Tennessee, and of the several territories of the United States, three thousand two hundred dollars.

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Assayer.  
Chief coiner.  
Melter and refiner.  
Engraver.

Clerks.

For wages to persons employed in the mint.

For contingent expenses of the mint.

For wastage.

For the governor, judges, &c. of the Mississippi territory.  
For contingent territorial expenses.

For the governor, judges, &c. of the Indiana territory.  
For contingent territorial expenses.

For the governor, judges, &c. of the Michigan territory.  
For contingent territorial expenses.

For the governor, judges, &c. of the Missouri territory.  
For contingent territorial expenses.

For the governor, judges, &c. of the Illinois territory.  
For contingent territorial expenses.

For demands not otherwise provided for, admitted at the treasury, &c.

For the judges, and the attorney general.

For district attorneys.

For the marshals of Maine, New Hampshire, &c.

1814.

For the expenses of courts, jurors, and witnesses, in aid of the funds arising from fines, &c.

For defraying the expenses of the supreme, circuit, and district, courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, and for defraying the expenses of prosecutions for offences against the United States, and for the safekeeping of prisoners, forty thousand dollars.

For the payment of sundry pensions.

For the payment of sundry pensions granted by the late government, eight hundred and sixty dollars.

For the annual allowance to invalid pensioners.

For the payment of the annual allowance to the invalid pensioners of the United States, ninety-eight thousand dollars.

For the support of lighthouses, beacons, buoys, &c.

For the maintenance and support of lighthouses, beacons, buoys, and public piers, stakeages of channels, bars, and shoals, including repairs and improvements, and contingent expenses, sixty-nine thousand one hundred dollars and twenty-eight cents.

For the following objects, being the balances of former appropriations, for the same purposes, carried to the surplus fund, viz:

For erecting lighthouses at the mouth of the Mississippi river, and at or near the pitch of Cape Look Out, in North Carolina, twenty thousand dollars.

For building a lighthouse on the south point of Cumberland island, in Georgia, four thousand dollars.

For building a lighthouse on the south point of Sapelo island, in Georgia, and placing buoys and beacons on Dobay Bar and Beach Point, four thousand four hundred and ninety-four dollars and eighty-one cents.

For placing buoys and beacons at or near the entrance of Beverly harbor, in Massachusetts, three hundred and fifty dollars.

For erecting two lights on lake Erie, viz: on or near Bird island, and on or near Presque Isle, four thousand dollars.

For placing two beacons and buoys at or near the entrance of the harbor of New Haven, in Connecticut, one hundred dollars.

For placing buoys at the entrance of the harbor of Edgartown, in Massachusetts, one thousand four hundred and forty-three dollars and forty-three cents.

For placing buoys at or near the main bar, and New Inlet bar, off Cape Fear, in North Carolina, two thousand dollars.

For erecting a beacon on a point of land near New Inlet, in North Carolina, one thousand eight hundred dollars.

For completing the fitting up of all the lighthouses with Winslow Lewis's improvements, in addition to the sums heretofore appropriated for that purpose, forty thousand dollars.

For surveying the public lands, &c.

For defraying the expense of surveying the public lands within the several territories of the United States, sixty thousand dollars.

For the support, &c. of prisoners of war.

For the support and safekeeping of prisoners of war, four hundred thousand dollars.

For contingent expenses of government.

For the contingent expenses of government, twenty thousand dollars.

For printing 1,000 copies of the digest of manufactures, &c.

For the expense of printing one thousand copies of the digest of manufactures, pursuant to a resolution of the house of representatives, of the ninth of July, one thousand eight hundred and thirteen, one thousand two hundred and fifty dollars.

For the support of sick and disabled seamen, in addition to the funds already appropriated by law, twenty thousand dollars.

For the salaries, allowances, and contingent expenses, of ministers to foreign nations, and of secretaries of legation, eighty-nine thousand four hundred dollars.

For the contingent expenses of intercourse between the United States and foreign nations, fifty thousand dollars.

For expense of intercourse with the Barbary powers, ten thousand dollars.

For the relief and protection of distressed American seamen, thirty thousand dollars.

For expenses of agents at Paris and Copenhagen, in relation to prize causes and captures of American vessels, four thousand dollars.

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, four thousand dollars.

SECT. 2. *And be it further enacted*, That the several appropriations hereinbefore made, shall be paid and discharged out of the fund of six hundred thousand dollars, reserved by the act making provision for the debt of the United States,\* and out of any moneys in the treasury, not otherwise appropriated.

[*Approved, March 24, 1814.*]

CHAP. 617. [LXXXVIII.] An act to authorize a loan for a sum not exceeding twenty-five millions of dollars.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized to borrow, on the credit of the United States, a sum not exceeding twenty-five millions of dollars, to be applied, in addition to the moneys now in the treasury, or which may be received from other sources, to defray any expenses which have been, or, during the present year, may be, authorized by law, and for which appropriations have been, or, during the present year, may be, made by law: *Provided*, That no engagement or contract shall be entered into which shall preclude the United States from reimbursing any sum or sums thus borrowed at any time after the expiration of twelve years from the last day of December next.

SECT. 2. *And be it further enacted*, That the secretary of the treasury, with the approbation of the president of the United States, be, and he is hereby, authorized to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed by this act, or for any part thereof, and the same to be sold. And the secretary of the treasury shall lay before congress, during the first week in the month of February, one thousand eight hundred and fifteen, an account of all the moneys obtained by the sale of the certificates of stock in manner aforesaid, toge-

1814.

For the support of sick and disabled seamen. For the salaries, &c. of ministers to foreign nations, &c.

For contingent expenses of foreign intercourse.

For intercourse with the Barbary powers.

For the relief, &c. of American seamen.

For agents at Paris and Copenhagen.

For the discharge of miscellaneous claims, not otherwise provided for.

The preceding appropriations to be paid out of the fund reserved, &c. [\* See ch. 61, vol. 2.]

[† See act of 26th Dec. 1814; ch. 699, post.]

The president authorized to borrow not exceeding 25 millions of dollars, &c.

Proviso: no contract to preclude the United States from reimbursing, &c. after 1826.

The secretary of the treasury authorized to cause certificates of stock to be constituted and sold, &c.

The secretary of the treasury to lay before congress an account of the moneys obtained, &c.



1814. ther with a statement of the rate at which the same may have been sold.

The secretary of the treasury authorized to employ agents to obtain subscriptions or to sell the stock, &c.

A commission, not exceeding 1-4th of one per cent. allowed to agents, &c.

Not exceeding \$5,000 dolls. appropriated for paying commissions, and defraying expenses incident to the loan, &c.

So much of the annual appropriation of \$5,000,000 of dolls. &c. as may be wanted, &c. pledged and appropriated for the payment of interest and principal of the stock, &c.

The commissions of the sinking fund to cause to be paid such sums as may be annually wanted to discharge the interest and reimburse the principal, &c. and may redeem the stock by purchase, &c.

The faith of the United States pledged to establish sufficient revenues for making good any deficiency, &c.

Any of the banks in the district of Columbia may lend any part of the sum authorized to be borrowed, &c.

SECT. 3. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to employ an agent or agents for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock to be created by virtue thereof. A commission, not exceeding one-quarter of one per cent. on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the secretary of the treasury, be allowed to such agent or agents; and a sum not exceeding sixty-six thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, is hereby appropriated for paying the amount of such commission or commissions as may be thus allowed, and also for defraying the expenses of printing and issuing the subscription certificates, and certificates of stock, and other expenses incident to the completing of the loan authorized by this act.

SECT. 4. *And be it further enacted*, That so much of the funds constituting the annual appropriation of eight millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest and such part of the principal of said debt as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal, of the stock which may be created by virtue of this act. It shall, accordingly, be the duty of the commissioners of the sinking fund to cause to be applied and paid out of the said fund, yearly, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal, as the same become due, and may be discharged in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sum or sums, out of the said fund, as they may think proper, towards redeeming, by purchase, and at a price not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making good any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them, in manner aforesaid.

SECT. 5. *And be it further enacted*, That it shall be lawful for any of the banks in the district of Columbia to lend any part of the sum authorized to be borrowed by virtue of this act, any thing in any of their charters to the contrary notwithstanding.

[Approved, March 24, 1814.]

[\* Private and obsolete.]

CHAP. 618. [LXXXIX.] An act for the relief of Isaac Clason.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That

there be paid to Isaac Clason, of the city of New York, out of any unappropriated money in the treasury of the United States, the sum of eighteen thousand nine hundred sixty-three dollars sixty-eight cents, in full of the sum of money which has been paid into the treasury by the said Isaac Clason, for duties on a cargo of sugar imported by him into New York, in August, one thousand eight hundred and five, from Havanna; which sugar he exported to Amsterdam in the ship *Ambition*, in the month of September then next following: *Provided*, That prior to the payment of the abovementioned sum of money to the said Isaac Clason, satisfactory proof be exhibited, to the comptroller of the treasury, that the said cargo of sugar was landed in some foreign port or place. [*Approved, March 24, 1814.*]

1814.  
18,963 dols. 68 cts. to be paid to Isaac Clason, in full of the sum paid by him for duties on a cargo of sugar imported, &c. and exported to Amsterdam, &c.

*Provide*; prior to the payment of the money, satisfactory proof must be exhibited that the sugar was landed in a foreign port.

CHAP. 619. [KC.] An act to alter the time for holding the district courts of the United States for the Virginia district.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, instead of the time heretofore prescribed by law for the sessions of the district court of the United States for the Virginia district, the said court shall hereafter commence its sessions on the following days in each year, that is to say: on the twelfth day of April, and on the fifteenth day of October, in the city of Richmond; and on the first day of May, and on the first day of November, in the borough of Norfolk.

Instead of the time heretofore prescribed the sessions of the district court for Virginia to commence on the days specified.

SECT. 2. *And be it further enacted*, That the said court, at its sessions to be commenced by virtue of this act, on the twelfth day of April next, in the city of Richmond, and on the first day of May next, in Norfolk, shall have the same right, power, and jurisdiction, over all actions, suits, process, notices, pleadings, and recognisances, and of all other proceedings of what nature or kind soever, civil or criminal, as the said court might or could possess and lawfully exercise, if the sessions of the said court, instead of being commenced on the said twelfth day of April next, and the said first day of May next, should have been commenced on the days heretofore prescribed.

The court to have the same power, jurisdiction, &c. as if this alteration had not taken place.

SECT. 3. *And be it further enacted*, That, from and after the passing of this act, all actions, suits, process, notices, pleadings, and recognisances, and all other proceedings of what nature or kind soever, civil or criminal, returnable to, or having day in, the said court, during the session thereof, shall be returnable to and have day in the sessions of the said court as prescribed by this act.

Actions, suits, &c. to be returnable to, and have day in, the sessions as prescribed by this act.

SECT. 4. *And be it further enacted*, That if, at any time, the day prescribed by this act for commencing a session of the said court shall be a Sunday, the said court shall commence and hold its session on the following day. [*Approved, March 24, 1814.*]

If the day prescribed should be Sunday, the court to commence on the following day.

1814.

**CHAP. 620. [XCI.]** An act to amend the act, entitled "An act laying duties on sales at auction of merchandise, and of ships and vessels."

[§ See orig. act, of 24th July, 1813; ante, chap. 554.]

The condition of the bond required to be given by auctioneers by the 3d sec. of the act mentioned, to be as specified. [Ante, ch. 554.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the condition of the bond required to be given by every auctioneer, by the third section of the act, entitled "An act laying duties on sales at auction of merchandise and of ships and vessels,"† passed the twenty-fourth day of July, one thousand eight hundred and thirteen, shall be, that the said auctioneer shall render the quarterly account, in writing, required of him by said act, within twenty days after the first day of April, July, October, and January, in each year, and that in the said quarterly return shall be stated the aggregate amount of goods, wares, merchandise, and effects, liable to duty, sold by him on each day during the quarter, with the date of each sale; any thing in the said act contained to the contrary notwithstanding.

[Approved, March 24, 1814.]

[† See orig. act, of 8th April, 1813; ante, chap. 375.]

Nothing in the act referred to, to prevent the accounting officers of the treasury department from inspecting and revising the account of Thomas Wilson, &c.

**CHAP. 621. [XCII.]** An act supplementary to an act, entitled "An act for the relief of Thomas Wilson."‡

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That nothing in the act to which this a supplement shall be so construed as to prevent the accounting officers of the treasury department from inspecting and revising the account of Thomas Wilson, as settled by the accountant of the department of war.

[Approved, March 28, 1814.]

[§ Private and obsolete.]

**CHAP. 622. [XCIII.]** An act for the relief of Mary Philip Le Duc.§

600 dollars, to be paid to Mary Philip Le Duc, as an additional allowance for his services as translator, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the sum of six hundred dollars be paid, out of any moneys in the treasury, not otherwise appropriated, to Mary Philip Le Duc, as an additional allowance for his services as translator to the board of land commissioners at St. Louis, and as a full compensation therefor. [Approved, March 28, 1814.]

[¶ Private and obsolete.]

**CHAP. 623. [XCIV.]** An act for the relief of Joshua Sands, late collector of the customs for the port of New York.||

The accounting officers of the treasury department required, in settling the accounts of Joshua Sands, late collector of New York, to allow him credit for \$9,477 dollars and 49 cents, being

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the treasury department be, and they are hereby, required, in liquidating and settling the accounts of Joshua Sands, late collector of the customs for the port of New York, to allow him credit for the sum of twenty-nine thousand four hundred and seventy-seven dollars and fifty-nine cents, be-

ing the amount of debentures paid by the said Sands on merchandise shipped to New Orleans between the first day of July, one thousand seven hundred and ninety-nine, and the tenth day of April, one thousand eight hundred.

[Approved, March 28, 1814.]

CHAP. 624. [XCV.] An act concerning Shawneetown.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That a tract of land, not exceeding two sections, in the Illinois territory, adjoining Shawneetown, shall, under the directions of the surveyor general, be laid off into town lots, streets, and avenues, and outlots, in the same manner, under the same restrictions, as are prescribed by the sixth section of the act, entitled "An act providing for the sale of certain lands in the Indiana territory, and for other purposes,"\* approved the thirtieth day of April, one thousand eight hundred and ten. And it shall be the duty of the surveyor general, or the person by him authorized to carry this act into effect, to select the two sections so as to extend the said town to the high lands in the rear of the town as it is now laid out.

Not exceeding two sections of land in the Illinois territory, adjoining Shawneetown, to be laid off into town lots, streets, &c.

\*Ante, ch. 200.]

The surveyor general, &c. to select the two sections so as to extend the town to the high lands, &c.

SECT. 2. *And be it further enacted,* That the lots in said town shall be offered for sale at the same time, and on the same terms and conditions, as are provided by the sixth section of the before recited act.† [Approved, March 28, 1814.]

The lots to be offered for sale as provided by the 6th s. c. of the act referred to. [Ante, ch. 200.]

CHAP. 625. [XCVI.] An act for the better organizing, paying, and supplying, the army of the United States.‡

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the first, second, and third, regiments of artillery be formed into one corps, and organized into twelve battalions, as follows, to wit: six lieutenant colonels, six majors, twelve adjutants, twelve quartermasters, and forty-eight companies.

[‡ See the note at the end of chap. 700, post.]

The 1st, 2d, and 3d, regiments of artillery to be formed into one corps, and organized into 12 battalions, &c.

SECT. 2. *And be it further enacted,* That each company shall consist of one captain, one first lieutenant, two second lieutenants, one third lieutenant, five sergeants, one quartermaster's sergeant, eight corporals, four musicians, and one hundred privates.

Organization of each company.

SECT. 3. *And be it further enacted,* That the president be authorized to assign one of the two second lieutenants hereby provided for each company, as a conductor of artillery for said company, whose duty it shall be to receipt and account for all ammunition, implements, and cannon, furnished by the ordnance department for said company, and to do and perform such other services as the war department may direct; and that, for the performance of these services, they be allowed each ten dollars extra pay per month.

The president authorized to assign one of the two second lieutenants as a conductor of artillery; his duty, &c.

10 dolls. per month extra pay to lieutenants conducting artillery.

1814.

In lieu of the two regiments of light dragoons, one regiment to be organized, &c.

Organization of each troop of light dragoons.

Officers of artillery to receive the same pay as provided for the light dragoons, &c. Subalterns of other corps allowed one ration in addition, &c.

Privates, &c. in the corps of sea fencibles allowed, annually, one blanket, one knapsack, &c.

The president authorized to prescribe the quantity and kind of clothing to be issued to the troops, &c.

The officers of the army to be entitled to waiters, agreeably to grade, as specified, &c.

No officer permitted to employ a soldier from the line as a servant, and servants to be mustered, &c.

The president authorized to appoint assistant apothecaries, &c. their pay, &c.

SECT. 4. *And be it further enacted*, That, in lieu of the two regiments of light dragoons now in service, there shall be organized one regiment, to consist of one colonel, one lieutenant colonel, two majors, one adjutant, one quartermaster, one surgeon, two surgeon's mates, one sergeant major, one quartermasters ergeant, one principal musician, one principal farrier, and eight troops.

SECT. 5. *And be it further enacted*, That each troop shall consist of one captain, one first lieutenant, one second lieutenant, one third lieutenant, one cornet, five sergeants, eight corporals, one riding master, one master of the sword, two trumpeters or buglers, one farrier, one blacksmith, one saddler, and ninety-six privates.

SECT. 6. *And be it further enacted*, That the officers of the corps of artillery, and the regiment of light artillery, shall, severally, receive the same pay as is now provided by law for the light dragoons in the service of the United States; and the subalterns of all other corps shall be allowed one ration in addition to the pay authorized by existing laws.

SECT. 7. *And be it further enacted*, That there shall be allowed, annually, to each noncommissioned officer, musician, and private, in the corps of sea fencibles, one blanket, one knapsack, and one canteen.

SECT. 8. *And be it further enacted*, That the president of the United States be, and he hereby is, authorized to prescribe the quantity and kind of clothing to be issued annually to the troops of the United States.

SECT. 9. *And be it further enacted*, That, from and after the first day of June next, the officers of the army shall be entitled to waiters agreeable to grade, as follows: a major general, four waiters; a brigadier general, three; a colonel, two; the physician and surgeon general, two; a lieutenant colonel, major, and hospital surgeon, each, one; the officers of each company, three; every commissioned officer who holds a staff appointment which gives the rank of captain, or any higher grade, one; and to every company officer who commands a separate post or detachment, one; any law or regulation heretofore existing to the contrary notwithstanding.

SECT. 10. *And be it further enacted*, That no officer shall be permitted to employ as a servant any soldier from the line of the army, and that the servants of officers, not exceeding the number allowed by the preceding section, shall be mustered with some corps of the army, and that, on the muster rolls formed in consequence thereof, payments shall be made in money to the officers employing them in lieu of wages, subsistence, and clothing, by the paymasters of the several corps or districts where such servants are mustered, at the rate allowed to privates of infantry, which shall be published to the army annually, by the secretary for the department of war.

SECT. 11. *And be it further enacted*, That the president of the United States be authorized to appoint so many assistant apothecaries as the service may, in his judgment, require; each of whom shall receive the same pay and emoluments as a regimental surgeon's mate.

**SECT. 12.** *And be it further enacted,* That, from and after 1814.  
the passing of this act, promotions may be made through the  
whole army in its several lines of light artillery, light dragoons,  
artillery, infantry, and riflemen, respectively; and that the rela-  
tive rank of officers of the same grade, belonging to regiments or  
corps already authorized, or which may be engaged to serve for  
five years, or during the war, be equalized and settled by the  
war department, agreeably to established rules; and that so  
much of the act, entitled "An act for the more perfect organiza-  
tion of the army of the United States,"\* passed the twenty-sixth  
of June, one thousand eight hundred and twelve, as comes within  
the purview and meaning of this act, be, and the same is hereby,  
repealed.

Promotions  
may be made  
through the  
whole army, in  
its several lines,  
&c.

(\* Ante, ch. 431.)

**SECT. 13.** *And be it further enacted,* That, for the purpose of  
avoiding unnecessary expenses in the military establishment, the  
president of the United States be, and he is hereby, authorized,  
in case of failure in filling the rank and file of any regiment or  
regiments, to consolidate such deficient regiment or regiments,  
and discharge all supernumerary officers: *Provided,* That offi-  
cers so discharged shall be allowed, in addition to the mileage  
already authorized by law, three months' pay to each.

The president  
authorized, in  
case, &c. to  
consolidate defi-  
cient regiments,  
and discharge  
supernumerary  
officers.

Proviso; officers  
discharged to be  
allowed three  
months' pay in  
addition, &c.

**SECT. 14.** *And be it further enacted,* That every noncommis-  
sioned officer and private of the army, or officer, noncommis-  
sioned officer, and private, of any militia or volunteer corps, in  
the service of the United States, who has been, or who may be,  
captured by the enemy, shall be entitled to receive, during his  
captivity, notwithstanding the expiration of his term of service,  
the same pay, subsistence, and allowance, to which he may be en-  
titled whilst in the actual service of the United States: *Provided,*  
That nothing herein contained shall be construed to entitle any  
prisoner of war, of the militia, to the pay and compensation  
herein provided, after the date of his parole, other than the tra-  
velling expenses allowed by law.

Noncommis-  
sioned officers  
and privates of  
the army, and  
officers of militia  
or volunteer  
corps, &c. cap-  
tured by the  
enemy, entitled  
to pay, &c. dur-  
ing captivity,  
&c.

Proviso; nothing  
herein to entitle  
militia pris-  
oners to pay,  
&c. after the  
date of parole,  
&c.

**SECT. 15.** *And be it further enacted,* That the five regiments  
which, by the first section of an act, entitled "An act to amend  
the act in addition to the act, entitled 'An act to raise an addi-  
tional military force, and for other purposes,'"† were authorized  
to be enlisted, at the discretion of the president of the United  
States, for and during the war, may be enlisted, at the option of  
the recruit, for five years, or for and during the war, unless  
sooner discharged; the provisions of the said act to the contrary  
notwithstanding.

The five regi-  
ments author-  
ized by the act  
mentioned to be  
enlisted for the  
war, may be  
enlisted for five  
years, &c.  
(† Ante, ch. 532.)

**SECT. 16.** *And be it further enacted,* That the commissary  
general of ordnance may employ in his department, besides  
blacksmiths and wheelwrights, other mechanics, such as the pub-  
lic service may require, who shall, together with the said black-  
smiths and wheelwrights, be mustered under the general deno-  
mination of artificers; and such artificers, being hereafter, or  
having been heretofore, enlisted to serve for the term of five  
years, or during the war, shall be entitled to the same annual al-  
lowance of clothing as is or may be provided for the soldiers of  
the army.

The commis-  
sary general of  
ordnance may  
employ mechan-  
ics besides  
blacksmiths and  
wheelwrights,  
who are to be  
mustered, &c.  
Artificers en-  
listed to serve  
for five years,  
&c. entitled to  
the same allow-  
ance of clothing  
as soldiers of  
the army.

1814.

Laborers enlisted to serve in the ordnance department, for five years, &c., to be entitled to a bounty of 25 dolls. in money, &c.

Physician and surgeon general entitled to two rations, &c. 18 dolls. per month additional pay for regimental surgeons, &c.

Aids de camp of major generals, &c.  
Aids de camp of brigadier generals, &c.

Officers of the volunteer corps authorized by the act referred to, entitled to promotion in the line of the army, &c.  
[\* See ante, ch. 604.]

**SECT. 17.** *And be it further enacted,* That the laborers who may be hereafter enlisted to serve in the ordnance department, for the term of five years, or during the war, shall be entitled to a bounty of twenty-five dollars in money, and the same annual allowance of clothing as is or may be provided for the soldiers of the army.

**SECT. 18.** *And be it further enacted,* That the physician and surgeon general of the army be entitled to two rations per day and forage for two horses; and that, in addition to their pay, as at present established by law, the regimental surgeons and regimental surgeons' mates be entitled to fifteen dollars per month, each.

**SECT. 19.** *And be it further enacted,* That the aids de camp of major generals shall be taken from the captains and subalterns of the line; and the aids de camp of brigadier generals from the subalterns of the line; and that it shall not be lawful to take more than one aid de camp from a regiment.

**SECT. 20.** *And be it further enacted,* That in no case shall the district paymasters or quartermasters of any grade be taken from the line of the army.

**SECT. 21.** *And be it further enacted,* That the officers of the volunteer corps, authorized by the act of the twenty-fourth day of February, one thousand eight hundred and fourteen,\* be entitled to promotion in the line of the army; and that the president of the United States, with the advice and consent of the senate, be authorized to make all necessary appointments, and to fill all vacancies, which may happen in the same.

[*Approved, March 30, 1814.*]

**CHAP. 626. [XCVII.]** An act authorizing the president of the United States to exchange a certain parcel of land in the city of New York, for other lands in the same city or its vicinity.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and hereby is, authorized, in case the same can, in his opinion, be done without disadvantage to the United States, to grant and release to the mayor, aldermen, and commonalty, of the city of New York, and their successors, forever, all the right, title, and interest, of the United States in and to a certain lot or parcel of land lying in the said city of New York, and being that parcel of land first described in a deed bearing date the sixth day of May, one thousand eight hundred and eight, signed by Daniel D. Tompkins, John Broome, John Lansing, James Kent, and Dewitt Clinton, acting as commissioners under the authority of the state of New York, for the purpose of granting to the United States the use and jurisdiction of three several parcels of land therein described:† *Provided,* That there be conveyed in fee simple to the United States, in exchange for the same, other land necessary or proper to be occupied for the safety and defence of the city of

The president authorized, in case, &c., to grant and release to the mayor, &c., of New York, &c., all the right, title, &c., to a lot or parcel of land lying in that city, &c.

[† See page 668, vol. 1.]  
Provided: other land to be conveyed in exchange, &c.

New York, and which may be equally advantageous to the United States; and in case the lands to be conveyed in exchange to the United States shall be of less value than the land, with its improvements, hereby authorized to be conveyed to the mayor, aldermen, and commonalty, the difference in value may be paid to the United States in money; the respective valuation to be ascertained in such manner and form as the president of the United States may direct. [Approved, March 30, 1814.]

1814.

In case the lands conveyed in exchange are of less value, the difference may be paid in money.

CHAP. 627. [XCVIII.] An act providing for the indemnification of certain claimants of public lands in the Mississippi territory.\*

[\* See supplementary act, of 23d Jan. 1815, ch. 706, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* every person or persons claiming public lands in the Mississippi territory, south of the state of Tennessee and west of the state of Georgia, under the act, or pretended act, of the state of Georgia, entitled "An act supplementary to an act, entitled "An act for appropriating a part of the unlocated territory of this state for the payment of the late state troops and other purposes therein mentioned, declaring the right of this state to the unappropriated territory thereof, for the protection and support of the frontiers of this state and for other purposes," passed January the seventh, one thousand seven hundred and ninety-five, who have exhibited the evidence of their claims to the secretary of state, for the purpose of having the same recorded in books in his office, conformable to the act of congress, passed the third day of March, one thousand eight hundred and three, entitled "An act regulating the grants of lands, and providing for the disposal of the lands of the United States, south of the state of Tennessee,"† shall be allowed until the first Monday of January next, to deposite in the office of the secretary of state of the United States, a sufficient legal release of all such claim or claims to the United States, and an assignment and transfer to the United States, of their right and claim to any sum or sums of money which by them, or the persons from whom they or any of them have derived their claims, were deposited or paid into the treasury of the state of Georgia, as the consideration of the purchase of the land for which their release of claim is deposited as aforesaid; and also, a power to sue, in the name of such claimant, for any sum or sums of money assigned as aforesaid, and which shall have been unlawfully or fraudulently withdrawn from the treasury of the state of Georgia, such release, assignment, transfer, and power, to take effect on the indemnification of such claimants being made conformably to the provisions of this act.

Persons claiming lands in the Mississippi territory, &c. under the act, or pretended act, of the state of Georgia, mentioned, who have exhibited evidence of their claims to the secretary of state, for the purpose of having the same recorded, &c. allowed until the first Monday of January, 1815, to deposite in the office of the secretary of state a sufficient legal release of claims, &c.

[† Ch. 346, vol. 3.]

SECT. 2. *And be it further enacted, That* the secretary of state, the secretary of the treasury, and the attorney general of the United States, (for the time being,) shall be, and they are hereby, constituted and appointed a board of commissioners, to meet in the city of Washington, on the first Monday of January next; and, as soon as may be practicable thereafter, they, or any two

The secretary of state, secretary of the treasury, and attorney general, appointed a board of commissioners, &c. and they, or any two of them, author-



1814.

is: d to adjudge  
and determine  
upon the suffi-  
ciency of the re-  
leases, &c.

[\* See act of  
23d Jan. 1815;  
chap. 706, post.]  
Providing the  
commissioners  
to cause notice  
to be published  
in the newspa-  
pers, &c.

As soon as the  
commissioners  
have reported to  
the president,  
&c. he is to cause  
certificates of  
stock to be issued,  
not bearing  
interest, and  
payable out of  
the first moneys  
arising from the  
sale of lands in  
the Mississippi  
territory after  
the money due  
to the state of  
Georgia has been  
satisfied, &c.

Not exceeding  
350,000 dolls.  
to persons claim-  
ing in the name of  
the Upper Missis-  
sippi Company.

Not exceeding  
600,000 d. lls. to  
persons claim-  
ing in the name  
of the Tennessee  
Company.  
1,550,000 dolls.  
to persons claim-  
ing in the name  
of the Georgia  
Mississippi Com-  
pany.

2,250,000 dolls.  
to persons claim-  
ing in the name

of them, are hereby fully authorized and required to adjudge and determine upon the sufficiency of the releases, and assignments, and powers, to be executed and deposited in the office of the secretary of state, in conformity with the foregoing section; and also to adjudge and finally determine upon all controversies arising from such claims, so released as aforesaid, which may be found to conflict with, and to be adverse to, each other; and also to adjudge and determine upon all such claims under the aforesaid act, or pretended act, of the state of Georgia, as may be found to have accrued to the United States by operation of law: \* *Provided*, That it shall be the duty of the said commissioners to cause to be published, for the period of three months before the said meeting, at least once a week, in all the public newspapers in which the acts of congress are by authority published, notice of the purposes, and of the time and place, of such meeting.

SECT. 3. *And be it further enacted*, That, as soon as the said commissioners shall have made report to the president of the United States of the sufficiency of such releases and assignments, to the amount of at least nine-tenths of the whole lands claimed by virtue of the sales made by the legislature of the state of Georgia to the respective companies hereafter enumerated, exclusive of such claims to the said lands as shall have vested in the United States by the operation of law, and shall have certified to him the names of the claimants, whose claims they have finally adjudged and allowed, and the respective and relative proportions on which they are entitled to the indemnity under and by virtue of this act, the president shall be, and he hereby is, authorized and required to cause to be issued, from the treasury of the United States, to such claimants, respectively, (of convenient amount for circulation) certificates of stock, not bearing interest, and expressing on their face, that the same are payable out of the first moneys in the treasury of the United States, arising from the sale of public lands in the Mississippi territory, after the money due to the state of Georgia, and the expenses of surveying such lands, have been satisfied.

To the persons claiming in the name of, or under, the Upper Mississippi Company, including such share or shares as may be found to have vested in the United States, and for which the United States are to be considered entitled to the respective proportions for the same, (and exclusive of all claims, usually denominated, in the former report of the commissioners aforesaid, citizens' claims) a sum not exceeding in the whole three hundred and fifty thousand dollars.

To the persons claiming in the name of, or under, the Tennessee Company, under the foregoing terms and restrictions, a sum not exceeding in the whole six hundred thousand dollars.

To the persons claiming in the name of, or under, the Georgia Mississippi Company, under the like terms and restrictions, a sum not exceeding in the whole one million five hundred and fifty thousand dollars.

To the persons claiming in the name of, or under, the Georgia Company, under the like terms and restrictions, a sum not ex-

ceeding in the whole two millions two hundred and fifty thousand dollars.

To the persons claiming under citizens' rights, including such share or shares as have already accrued to the United States by operation of law, or by the provisions of this act, and to which the United States are to be considered entitled to the respective proportions for the same, a sum not exceeding in the whole two hundred and fifty thousand dollars: *Provided*, That any person having claim, under either of the said companies, and entitled to indemnity by virtue of this act, shall receive such indemnity only in proportion to the amount of such claims: *And provided also*, That no claim shall be allowed, or any indemnification made, therefor, to any person or persons who have voluntarily surrendered the evidence of their claims to the said lands under the act of Georgia of the thirteenth of February, one thousand seven hundred and ninety-six, or under any subsequent act of the said state, and which, at the time of the surrender, would have vested the title in such claimants had the title from Georgia been valid, or who have received the money deposited as the consideration of the purchase of said lands thus surrendered; but all such lands shall be deemed and taken to be vested in the United States, exonerated, and discharged, from all such claims, without any further surrender or release whatever, and the dividends to be made to claimants who shall be entitled to the benefits of this act shall be lessened in proportion to the claim so surrendered or withdrawn: *And provided also*, That no person or persons, nor the agent or trustee of any person or persons, shall be entitled to the benefits of this act, who, by himself, herself, or themselves, or by his, her, or their, agent, or by any person or persons with privity and consent of him, her, or them, shall have taken, received, or withdrawn, from the treasury of the state of Georgia, any sum or sums of money, which had been paid and deposited as the consideration of the purchase of any of the aforesaid lands, which person or persons at the time of the taking, receiving, or withdrawing, of the said money, was or were not the bona fide claimant or claimants of the lands for the purchase of which the said money had been deposited; but all and every the share or shares of such person or persons so fraudulently drawing the money as aforesaid, as may be found to have been claimed, by such person or persons, at the time of recording in the office of the secretary of state the evidences of their claim or claims, shall be vested in the United States, and the dividends to be made to the claimants entitled to the benefits of this act shall be lessened in proportion thereto: *And provided also*, That each and every person, before receiving the certificates of stock aforesaid, shall, after the two foregoing provisos have been read to him, take and subscribe the following oath, viz: *I, A B, do solemnly swear, or affirm, (as the case may be,) that I have not, nor has any person for whose interest I now act, either as agent or trustee, or as executor, administrator, or heir at law, done and performed any act, which, by the tenor of the two provisos I have heard*

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of the Georgia Company. Not exceeding \$50,000 dolls. to persons claiming under citizens' rights, &c.

Proviso; persons entitled to indemnity, &c. are to receive it only in proportion, &c.

Proviso; no claim allowed, &c. to persons who have voluntarily surrendered the evidence of their claims, &c.

Proviso; no persons entitled to the benefit of this act, who have withdrawn from the treasury of Georgia any sum which had been paid as the consideration of the purchase of the lands, and who were not, at the time, bona fide claimants of the lands, &c.

Proviso; every person, before receiving the certificates of stock, &c. to take and subscribe an oath. Form of the oath.

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*read to me, would disqualify me from receiving the indemnity afforded by the provisions of this act."*

The certificate of stock to be received in payment for public lands, &c. provided, &c.

Provido; persons making payment for lands in certificates, &c. not entitled to discount, &c.

After sufficient releases from the claimants have been lodged in the office of the secretary of state, &c. all sums remaining in the possession of Georgia, &c. to be set over and paid, by the commissioners, to that state, &c.

[\* See page 488, vol. 1.]

Persons who, in pursuance of any act of Georgia, have withdrawn from the treasury of that state money deposited as the consideration of the purchase, &c. and who were not bona fide claimants of the lands, &c. to be deemed to have received the amount for the use of the United States, and holden liable to refund, &c.

The commissioners directed to investigate, &c. cause suits to be commenced, &c.

SECT. 4. *And be it further enacted,* That the said certificates of stock shall be receivable in payment of the public lands, to be sold, after the date of such certificates, in the Mississippi territory: *Provided,* That on every hundred dollars to be paid for such land, ninety-five dollars shall be receivable in said certificates, and five dollars in cash: *Provided,* That no person or persons making payment for lands in certificates authorized to be issued by this act, shall be entitled to the discount for prompt payment now allowed by law to purchasers of public lands.

SECT. 5. *And be it further enacted,* That from and after such sufficient releases from the claimants to the United States shall be lodged in the office of secretary of state, as is hereinbefore provided in this act, all such sum or sums of money remaining in the possession of the state of Georgia, which may have been deposited as the consideration of the purchase of the said lands, together with such interest, if any there be, as may have accrued thereon, shall be set over and paid, by the said commissioners, to the state of Georgia, in part payment of the one million two hundred and fifty thousand dollars, stipulated to be paid by the articles of agreement and cession between the United States and the state of Georgia.\*

SECT. 6. *And be it further enacted,* That if any person or persons, in pursuance of the act of the state of Georgia, of the thirteenth of February, one thousand seven hundred and ninety-six, or of any subsequent act, shall have taken, received, or withdrawn, from the treasury of the state of Georgia, any sum or sums of money which had been paid or deposited as the consideration of the purchase of any of the aforesaid lands, which person or persons, at the time of receiving or withdrawing said sum or sums of money as aforesaid, were not the bona fide claimants of the lands for the purchase of which said money had been paid or deposited; or if such person or persons had not, at the time the legal title vested in them, supposing the title of Georgia to have been valid, every such person or persons who shall have taken, received, or withdrawn, the money as aforesaid, shall be deemed and adjudged to have had and received the same to and for the use of the United States, and shall be, and hereby are declared to be, holden and liable to refund and pay to the United States, or to the treasury of the state of Georgia for the use of the United States, all such sum or sums of money so had and received as aforesaid, with legal interest from the time she or they so received the same. And the aforesaid commissioners shall be, and they are hereby, further authorized and directed to examine into and investigate all cases coming within the purview of this section, and to claim such sum or sums of money to be paid to the United States, as to them shall appear just and reasonable; and in case of refusal to pay the same, to direct suits to be commenced for the recovery of the same, in such form and manner as shall be thought most ad-

visable, making plaintiff or complainant, as they shall think best, either the United States, the claimants who shall have transferred to the United States their right of action against the aforesaid persons, or the state of Georgia as bailee of the money so taken, received, and withdrawn, from the treasury of the said state: *Provided*, That if it should be thought advisable to institute the suits for the recovery of the moneys aforesaid in the name of the state of Georgia, or of its proper officers, the consent thereto from the proper authority of the state of Georgia shall be first had and obtained: *And provided also*, That the said suits shall be conducted at the proper expense of the United States.

*Proviso; as to authority from Georgia, if suits for the money are instituted in the name of that state. Proviso; the suits to be conducted at the expense of the United States.*

SECT. 7. *And be it further enacted*, That the president of the United States be, and he hereby is, authorized to apply to the governor of the state of Georgia, for all such vouchers and testimony, within archives or treasury of the said state, as may be necessary for carrying into effect the provisions of this act.

*The president authorized to apply to the governor of Georgia for vouchers and testimony, &c.*

SECT. 8. *And be it further enacted*, That whenever the legal estate in any of the said lands (supposing the said act of the legislature of the state of Georgia, of the seventeenth of January, seventeen hundred and ninety-five, had been valid and effectual) shall be vested in any person or persons who, at the time of the passing of this act, shall be under the age of twenty-one years, it shall be lawful for the guardian or guardians of such person or persons, appointed in pursuance of the laws of the respective states in which such person or persons shall reside, to execute for and in behalf of such person or persons, and deposite in the office of the secretary of state of the United States, the release, assignment, and power, mentioned in the first section of this act; which said release, assignment, and power, so executed and deposited as aforesaid, are hereby declared to be good and effectual, to all intents and purposes; and that in case of femes covert claiming lands under the act, or pretended act, of the state of Georgia aforesaid, passed the seventh of January, seventeen hundred and ninety-five, it shall be lawful for the husband and wife to join in the execution of the release, assignment, and transfer, mentioned in the first section of this act, and that such release, assignment, and transfer, shall be good and effectual as to the interest of such wife. *Provided*, That the release, assignment, and transfer, executed as aforesaid, shall be acknowledged before a judge or justice of a court of record, and shall have the attestation of such judge or justice, certifying, that on the separate examination of the wife, she had acknowledged that she had freely and voluntarily executed the same.

*When the legal estate in any of the lands is vested in minors, the guardians may execute the release, &c.*

*In the case of femes covert, the husband and wife may join in the execution of the release, &c.*

*Proviso; the release, &c. to be acknowledged before a judge or justice of a court of record, &c.*

SECT. 9. *And be it further enacted*, That if any person or persons, claiming lands under the aforesaid act, or pretended act, of the state of Georgia, passed January seventh, seventeen hundred and ninety-five, shall neglect or refuse to compromise and make settlement of all such claim or claims, in conformity with the provisions of this act, the United States shall be, and hereby are declared to be, exonerated and discharged from all such claim or claims, and the same shall be forever barred; and

*Persons refusing to compromise. Sec. barred, &c.*

1814. no evidence of any such claim or claims shall be admitted to be pleaded, or allowed to be given, in evidence in any court what-  
ever against any grant derived from the United States.

[Approved, March 31, 1814.]

[\* Private and  
obsolete.]

CHAP. 628. [XCIX.] An act for the relief of Samuel Ellis.\*

The secretary  
of the treasury  
to allow Samuel  
Ellis, &c. for  
damages sus-  
tained in levy-  
ing execution in  
behalf of the  
United States  
on a quantity of  
flour in the pos-  
session, &c.

SECT. 1. *Be it enacted by the senate and house of representa-  
tives of the United States of America in congress assembled, That*  
the secretary of the treasury be, and he is hereby, authorized to  
allow Samuel Ellis, of the district of Maine, who acted, in the  
year one thousand eight hundred and eight, as deputy marshal  
under Thomas G. Thornton, marshal of the said district, such  
indemnification as he, the said secretary, shall deem adequate,  
for damages which the said Samuel Ellis may have sustained in  
levying execution, in behalf of the United States, on a quantity  
of flour in the possession, and supposed to be the property, of a  
certain John Barton, against whom judgment was obtained by  
the United States.

Not exceeding  
1,000 dolls. ap-  
propriated for  
carrying this  
act into effect.

SECT. 2. *And be it further enacted, That* a sum, not exceed-  
ing one thousand dollars, be, and the same is hereby, appropri-  
ated, out of any moneys in the treasury, not otherwise appro-  
priated, for carrying this act into effect.

[Approved, March 31, 1814.]

[† Private and  
obsolete.]

CHAP. 629. [C.] An act for the relief of Joseph W. Page.†

The secretary  
of the treasury  
authorized to  
remit the penal-  
ty incurred by  
Joseph W. Page,  
of Charleston,  
S. C. as security  
in an embargo  
bond, &c.

SECT. 1. *Be it enacted by the senate and house of representa-  
tives of the United States of America in congress assembled, That*  
the secretary of the treasury be, and he is hereby, authorized to  
remit the penalty incurred by Joseph W. Page, of Charleston,  
South Carolina, as security in an embargo bond for Bernard  
Laffon, master of the brig Bellona.

[Approved, March 31, 1814.]

[‡ Private and  
obsolete.]

CHAP. 630. [CI.] An act for the relief of Edwin T. Satterwhite, late a purser  
of the Hornet.‡

The secretary  
of the navy re-  
quired to settle  
the accounts of  
Edwin T. Sat-  
terwhite, &c.  
upon principles  
of equity, &c.

SECT. 1. *Be it enacted by the senate and house of representa-  
tives of the United States of America in congress assembled, That*  
the secretary of the navy be, and he is hereby, authorized and  
required to adjust and settle the accounts of Edwin T. Satter-  
white, late a purser of the United States' sloop of war Hornet,  
upon principles of equity and justice, and to make him such  
allowances as, under the circumstances of his case, shall appear  
reasonable. [Approved, March 31, 1814.]

## CHAP. 631. [CII.] An act for the relief of George Walkington.\*

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SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* George Walkington, who is now confined in the district of New York, at the suit of the United States, on judgment obtained on a bond conditioned for the observance of the embargo acts, be, and the same is hereby, discharged from his confinement.

[Approved, March 31, 1814.]

[\* Private and obsolete.]

George Walkington, confined in New York at the suit of the United States, &amp;c. discharged from confinement.

## CHAP. 632. [CIII.] An act for the relief of Daniel M'Cauly and Samuel Ralston.†

[† Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* Daniel M'Cauly, of South Carolina, and Samuel Ralston, of North Carolina, who imported into the United States, from the United Kingdom of Great Britain and Ireland, on board the ship Anna, captain Emory, and the ship Thomas Gibbons, captain Rockwell, and the ship Philipsburg, captain Word, certain goods, wares, and merchandises, of the manufacture of the said United Kingdom of Great Britain and Ireland, and which were shipped on board such ships in the year one thousand eight hundred and twelve, shall be entitled to, and may avail themselves of, all the benefit, privilege, and provisions, of the act, entitled “An act directing the secretary of the treasury to remit fines, forfeitures, and penalties, in certain cases,”‡ passed the second day of January, one thousand eight hundred and thirteen, in like manner, and under the same conditions, as if the said goods, wares, and merchandise, had been shipped from the United Kingdom of Great Britain and Ireland before the fifteenth day of September, one thousand eight hundred and twelve.

[Approved, April 6, 1814.]

Daniel M'Cauly, and Samuel Ralston, who imported from Great Britain, on board the vessels mentioned, goods, &amp;c. of the manufacture of that kingdom, &amp;c. may avail themselves of the provisions of the act directing the secretary of the treasury to remit fines, &amp;c. as if the goods, &amp;c. had been shipped before the 15th of Sept. 1812.

[‡ Ante, ch. 472.]

## CHAP. 633. [CIV.] An act for the relief of the owners of the cargo of the brig Patriota.§

[§ Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the secretary of the treasury be, and he is hereby, authorized to remit the fines, penalties, and forfeitures, incurred by Jonathan Davis and others, who imported into the port of Providence a cargo of merchandise from the Havanna, in the brig Patriota, on the thirteenth day of June, one thousand eight hundred and thirteen: *Provided, however, That* nothing in this act shall be considered as remitting any penalty incurred by the brig Patriota under the act of July sixth, one thousand eight hundred and twelve, except so far as respects the cargo.

[Approved, April 6, 1814.]

The secretary of the treasury authorized to remit the fines, &amp;c. incurred by Jonathan Davis, &amp;c. who imported a cargo from the Havanna, in the brig Patriota, &amp;c.

Provido; nothing in this act to be considered as remitting any penalty incurred by the brig under the act of July 6th, 1812, except, &amp;c.

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CHAP. 634. (d) [CV.] An act for the relief of William H. Savage.\*

[\* Obsolete.]

The proper accounting officers of the treasury department required to adjust the claim of William H. Savage, &c. and allow him reasonable compensation for office rent, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the proper accounting officers of the treasury department be, and they are hereby, authorized and required to settle and adjust the claim of William H. Savage, late agent of American seamen and commerce at Jamaica, and to allow him such compensation for office rent as may appear reasonable, for the period he may have acted as the agent of the United States.

[Approved, April 9, 1814.]

(d) This chapter has been erroneously referred to at page 234, vol. 3, instead of chap. 635, post.

CHAP. 635. [CVI.] An act making Elizabeth City the port of entry and delivery for the district of Camden, in the state of North Carolina.

The port of entry and delivery established at Plankbridge, &c. abolished, and Elizabeth City to be the port, &c.

[† See page 147, vol. 3.]

The collector to keep his office at Elizabeth City.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* from and after the first day of June next, the port of entry and delivery established by law at Plankbridge, on Sawyer's creek, for the district of Camden,† in the state of North Carolina, shall be abolished, and the town of Elizabeth City, on Pasquotank river, shall be the port of entry and delivery for the said district; and the collector for the said district shall, from the said first day of June, keep his office at the town of Elizabeth City aforesaid.

[Approved, April 9, 1814.]

[‡ Private and obsolete.]

CHAP. 636. [CVII.] An act for the relief of Seth Russell and sons.‡

383 dolls. 57 cents to be refunded to Seth Russell and sons, that being the amount of duties paid to the collector of Norfolk, on 16 casks of head matter, &c. transhipped, &c. for Norfolk from the Cape de Verd Island, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* there be refunded and paid to Seth Russell and sons, of the town of New Bedford, state of Massachusetts, out of any money in the treasury, not otherwise appropriated, the sum of three hundred and fifty-three dollars and fifty-seven cents, it being the amount of duties paid by Richard Blow, for Seth Russell and sons, to the collector of Norfolk, Virginia, on sixteen casks of head matter, and twenty-one casks of oil, trans-shipped, from the ship Walker on board the ship Harriot, for Norfolk, from the Cape De Verd island, by Stephen West, master of the said ship Walker; and which articles of merchandise were entered on the seventh of February, one thousand eight hundred and twelve: *Provided, That* the same has not been exported with benefit of drawback. [Approved, April 9, 1814.]

proviso; if the articles have not been exported with benefit of drawback.

**CHAP. 637. [CVIII.]** An act for the better organisation of the courts of the United States within the state of New York.\*

1814.

[\* See supplementary act, of 3d March, 1814, chap. 776, post.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for the more convenient transaction of business in the courts of the United States within the state of New York, the said state shall be, and the same is hereby, divided into two districts, in manner following, to wit: the counties of Rensselaer, Albany, Schenectady, Schoharie, and Delaware, together with all that part of the said state lying south of the said abovementioned counties, shall compose one district, to be called the southern district of New York; and all the remaining part of the said state shall compose another district, to be called the northern district of New York; and that the terms of the district court in the said southern district shall be held in the city of New York, at the several times at which they are now by law directed to be held in the said city: and that the terms of the said court in the said northern district shall be held at the several times and places at which they are now by law directed to be held in that part of the state of New York included in the said northern district, except that the term of the said court now holden at Geneva shall hereafter be held at the village of Canandaigua.

The state of New York divided into two judicial districts, &c.

Southern district.

Northern district.

Terms of the southern, &c. to be held in the city of New York, &c.

Terms of the court in the northern district, &c.

**SECT. 2.** *And be it further enacted,* That Matthias B. Tallmadge, one of the district judges of the district of New York, be, and he is hereby, assigned as the judge to hold the said district court in the said northern district of New York, and to do and perform all the duties appertaining to his office within the said northern district; and that William P. Van Ness, the remaining district judge of the district of New York, be, and he is hereby, assigned as the judge to hold the said court in the said southern district of New York, and to do and perform all the duties appertaining to his said office within the said southern district. And it is hereby also made the duty of the judge of the said southern district to hold the several district courts hereinbefore directed to be holden in the said northern district, in case of the inability, on account of sickness or absence, of the said Matthias B. Tallmadge to hold the same.

Judge Tallmadge assigned to the northern district.

Judge Van Ness assigned to the southern district, &c.

**SECT. 3.** *And be it further enacted,* That the circuit court of the United States shall be held, in and for the said southern district of New York, at the city of New York, at the times and in the manner now directed by law to be held in and for the district of New York; and that the district court in the said northern district of New York, shall, besides the ordinary jurisdiction of a district court, have jurisdiction of all causes, except of appeals and writs of error, cognizable by law in a circuit court, and shall proceed therein in the same manner as a circuit court; and writs of error shall lie from decisions therein to the circuit court in the said southern district of New York, in the same manner as from other district courts to their respective circuit courts. [Approved, April 9, 1814.]

The judge of the southern district to hold the court in the northern district, in case of the inability, &c. of judge Tallmadge.

The circuit court for the southern district to be held in New York, &c.

The district court in the northern district to have jurisdiction of all causes cognizable by a circuit court, except, &c.



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CHAP. 638. [CIX.] An act for the relief of John Cahoon and others.\*

[\* Obsolete.]

The claim and interest of the United States to the net proceeds of the British privateer Dart, captured by the revenue cutter Vigilant, relinquished in favor of the officers and crew of the cutter, &c. The president authorized to cause the net amount to be distributed among the officers and crew, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* all claim and interest which the United States have to the net proceeds of the British privateer called the Dart, captured by the revenue cutter called the Vigilant, and condemned in the district court of Rhode Island, be released and relinquished to, and in favor of, John Cahoon, master of said cutter, his officers, crew, and associates, concerned in said capture.

SECT. 2. *And be it further enacted, That* the president of the United States is hereby authorized and required to cause to be paid and distributed to the said John Cahoon, his officers, crew, and associates, concerned in said capture, the net amount and proceeds thereof, in such proportion, and upon such principles, as to him shall seem proper and equitable.

[Approved, April 11, 1814.]

[† Private.]

CHAP. 639. [CX.] An act for the relief of Mary Chever.†

25 dols. quarter yearly to be paid out of the navy pension fund to Mary Chever, for life, as a gratuity from congress on account of the distinguished bravery and services of her two sons, &c. who were slain at the capture of the frigate Java.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* from and after the passage of this act, there shall be paid, out of the navy pension fund, to Mary Chever, for and during her life, the sum of twenty-five dollars, quarter yearly, as a gratuity from congress on account of the distinguished bravery and services of her two sons, John Chever and Joseph P. Chever, who were seamen on board the frigate Constitution, and who were slain at the capture of the British frigate Java.

[Approved, April 12, 1814.]

CHAP. 640. [CXI.] An act for the final adjustment of land titles in the state of Louisiana and territory of Missouri.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* every person or persons, or the legal representatives of any person or persons, claiming lands in the state of Louisiana, or the territory of Missouri, by virtue of any incomplete French or Spanish grant or concession, or any warrant or order of survey, which was granted prior to the twentieth of December, one thousand eight hundred and three, for lands lying within that part of the state of Louisiana which composed the late territory of Orleans, or which was granted, for lands lying within the territory of Missouri, before the tenth day of March, one thousand eight hundred and four, and where the claimant, or the person under whom he claims, were resident in the province of Louisiana at the respective times aforesaid, or at the time the said concession, warrant, or order of survey, was granted, and whose claims have been filed with the proper register or recorder of land titles according to law, and are embraced in the report of the

Persons, &c. claiming lands in the state of Louisiana, or territory of Missouri, by virtue of any incomplete French or Spanish grant, &c. prior to the 20th of Dec. 1803, for lands in the territory of Orleans, or before the 10th of March, 1804, for lands lying within the territory of Missouri, where the claimants were resident, &c. and whose claims have been filed, &c. confirmed, &c.

commissioners, or register, or recorder, for the district within which the lands claimed do lie, in every case where it shall appear by the said report of the commissioners, register, or recorder, that the concession, warrant, or order of survey, under which the claim is made, contains a special location, or had been actually located or surveyed within the late territory of Orleans before the twentieth day of December, one thousand eight hundred and three, or actually located or surveyed within the territory of Missouri, before the tenth day of March, one thousand eight hundred and four, by a surveyor duly authorized by the government making such grant, such persons shall be, and they are hereby, confirmed in their claims: *Provided*, That no claim shall be confirmed by this section which shall have been adjudged by either of the boards of commissioners, or a register, or receiver of public moneys, or a recorder acting as such, to be antedated or otherwise fraudulent: nor any one to claim a greater quantity of land than the number of acres contained in one league square, nor the claim of any person, in his own right, who has received, in his own right, a donation grant from the United States, in said state or territory: *And provided also*, That no confirmation made by this section shall affect the rights of any person claiming the same lands, or any part thereof, whose claim has been confirmed by a board of commissioners for ascertaining and adjusting claims to land in said state or territory, nor preclude a judicial decision between private claimants in such interfering claims.

*Provided*; no claim to be confirmed if adjudged to be fraudulent. No one to claim a greater quantity than one league square, &c.

*Provided*; no confirmation by this section to affect the rights of persons claiming the same lands, &c. nor to preclude a judicial decision, &c.

**SECT. 2.** *And be it further enacted*, That every person or persons claiming lands in the said state or territory, by right of donation under any former laws, whose claims are contained in the report of any of the boards of commissioners, or the report of the register and receiver of public moneys, or of the recorder of land titles, made, or hereafter to be made, under existing laws, and which claims shall appear by the said reports not to have been confirmed, merely because the tracts claimed were not inhabited on the twentieth of December, one thousand eight hundred and three, such person or persons shall be, and they are hereby, confirmed in their respective claims: *Provided*, That in every other respect such claims shall be embraced by the provisions, and conform to the limitations and restrictions, prescribed by former laws for granting the right of donations in the said state and territory.

Persons claiming lands, &c. by right of donation under former laws, whose claims are contained in the reports of any of the boards, &c. &c. and not confirmed because the tract were not inhabited, &c. confirmed, &c.

*Provided*; in every other respect the claims to conform to the limitations, &c. of former laws, &c.

**SECT. 3.** *And be it further enacted*, That it shall be the duty of the several registers of the land offices, and of the recorder of land titles, in the state or territory aforesaid, with whom the claims in their respective districts have been entered, which are confirmed by this act, in all cases where the land has not been surveyed according to law, to make out, for the principal deputy surveyor of the district in which the land lies, an order of survey for each tract of land confirmed under this act, with a proper description of the tracts to be surveyed, wherein the quantity, locality, boundaries, and connexion, when practicable, with each other, and the tracts which have been heretofore confirmed,

The registers of the land offices, &c. with whom the claims have been entered, &c. where the land has not been surveyed, to make out an order of survey for each tract confirmed, with a proper description, &c.

1814. shall be stated; and on the return of the plat of survey, or where

On the return of the plat of survey, or, &c., the register, &c., to make out, on application, a certificate of confirmation, &c.

Patents to be granted, &c.

Fees to the register or recorder, &c.

The principal deputy surveyor, &c., to survey, &c. the tracts of land confirmed by this act, the fees, &c. being first received.

The principal deputy surveyor to make return of the surveys, in separate plats, to the register, &c. of the district, and transmit a plat to the surveyor general, &c.

Persons, &c., who have actually inhabited and cultivated a tract of land, in the state of Louisiana, &c., or territory of Missouri, not rightfully claimed by any other person, &c. entitled to the right of pre-emption, &c.

[*Ante*, ch. 485.]

an order of survey is not necessary, the said register or recorder of land titles shall, on application for that purpose, make out, for each claimant entitled thereto by the provisions of this act, a certificate of confirmation, directed to the commissioner of the general land office; and if shall appear to the satisfaction of said commissioner, that such certificate shall have been fairly obtained, according to the true intent and meaning of this act, then and in that case patents shall be granted in like manner as is provided by law for the other lands of the United States. And the said register or recorder shall be entitled to receive, from the person applying therefor, where he shall have previously issued an order of survey, for such order of survey and certificate, the sum of one dollar and fifty cents, and for each certificate without an order of survey, the sum of one dollar.

SECT. 4. *And be it further enacted*, That it shall be the duty of the principal deputy surveyor, on receiving an order of survey from the register or recorder of land titles, and the surveying fees from the claimant, which shall not exceed three dollars for every mile to be surveyed and marked, to survey or cause to be surveyed, under the direction of the surveyor general, or surveyor of the lands south of the state of Tennessee, the several tracts of land confirmed by this act; and the said principal deputy surveyor shall make return of the surveys, in separate plats, to the register or recorder of the district within which the land lies, and also transmit, to the surveyor general, or surveyor of the lands south of the state of Tennessee, as the case may be, a plat or plats of the surveys directed to be made by this section, who shall, respectively, transmit copies thereof to the commissioner of the general land office.

SECT. 5. *And be it further enacted*, That every person, and the legal representatives of every person, who has actually inhabited and cultivated a tract of land lying in that part of the state of Louisiana which composed the late territory of Orleans, or in the territory of Missouri, which tract is not rightfully claimed by any other person, and who shall not have removed from said state or territory, shall be entitled to the right of pre-emption in the purchase thereof, under the same restrictions, conditions, provisions, and regulations, in every respect, as is directed by the act, entitled "An act giving the right of pre-emption in the purchase of lands to certain settlers in the Illinois territory,"\* passed February fifth, one thousand eight hundred and thirteen.

[*Approved*, April 12, 1814.]

[*Private and obsolete.*]

#### CHAP. 641. [CXII.] An act for the relief of Joseph Brevard.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the accounting officers of the treasury be, and they are hereby, authorized and directed to settle the account of Joseph Brevard, and that he be allowed the amount of a final settlement certifi-

The accounting officers of the treasury directed to settle the account of Joseph

date, number ninety-one thousand nine hundred and fifteen, dated 1814. the first of February, one thousand seven hundred and eighty-five, for one hundred and eighty-three dollars and twenty-three-ninetieths, and bearing interest from the first of January, one thousand seven hundred and eighty-three, and issued to the said Joseph Brevard, by John Pierce, commissioner for settling accounts of the army; and that the amount due be paid, out of any money in the treasury, not otherwise appropriated, to the said Joseph Brevard. *[Approved, April 13, 1814.]*

Brevard, and allow him the amount of a final settlement certificate, &c. for 183 dolls. 23-90ths, bearing interest from the time mentioned, &c.

CHAP. 642. [CXIII.] An act for the relief of David Porter and his officers and crews.\*

[\* Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That so much of the nett proceeds of the forfeitures and penalties as have accrued to the United States from the condemnation and sale of the following vessels and their cargoes, to wit: *Le Duc de Montebello, Le Petite Chance, and L'Intrepide*, condemned and sold by order of the district court of the United States for the Orleans district, for violations of the laws of the United States, be, and the same are hereby, given up and relinquished in favor of captain David Porter, and of the officers and crews by whom the said vessels were captured, as a compensation to the said David Porter, and the said officers and crews, for their zeal and activity in capturing the same: and that the said captain David Porter be hereby authorized to receive, from the secretary of the treasury, the amount of the said net proceeds of the aforesaid sales, to be paid by the said secretary of the treasury out of any money not otherwise appropriated; and upon receiving the same the said David Porter is authorized and instructed to distribute it amongst the said officers and crews, in the proportions, and agreeably to the regulations of the laws of the United States, for the distribution of prize money.

The nett proceeds of forfeitures, &c. accrued to the United States, from the condemnation of the vessels and cargoes mentioned, relinquished in favor of captain David Porter, and the officers and crews by whom they were captured, &c.

Captain Porter instructed to distribute the amount as prize money.

*[Approved, April 13, 1814.]*

CHAP. 643. [CXIV.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; sec. 1, chap. 657, post.

CHAP. 644. [CKV.] An act to repeal an act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States,"† and so much of any act or acts as prohibit the importation of goods, wares, and merchandise, of the growth, produce, or manufacture, of Great Britain or Ireland, or of any of the colonies or dependencies thereof, or of any place or country in the actual possession of Great Britain.

† See the act laying an embargo, of 17th Dec. 1813; ante, chap. 639.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the act, entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States,"‡ passed

The act laying an embargo repealed.

[‡ Ante, ch. 639.]

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Proviso; all penalties, &c. incurred, &c. to be recovered and distributed, &c.

Any act prohibiting the importation of goods, &c. the produce or manufacture of Great Britain, &c. repealed.

Proviso; all fines, &c. incurred, to be recovered and distributed, &c.

Proviso; nothing herein to authorize the importation of goods, &c. the property of the enemy.

on the seventeenth day of December, one thousand eight hundred and thirteen, be, and the same is hereby, repealed: *Provided*, That all penalties and forfeitures which have been incurred under the said act, shall be recovered and distributed, and may be mitigated or remitted, in like manner as if the said act had continued in full force and virtue.

SECT. 2. *And be it further enacted*, That so much of any act or acts, as prohibits the importation of goods, wares, or merchandise, of the growth, produce, or manufacture, of Great Britain or Ireland, or of any of the colonies or dependencies thereof, or of any place or country in the actual possession of Great Britain, and so much of any act or acts as prohibits importation into the United States, or the territories thereof, in neutral ships or vessels, from any port or place situated in Great Britain or Ireland, or in any of the colonies or dependencies of Great Britain, be, and the same is hereby, repealed: *Provided*, That all fines, penalties, and forfeitures, incurred by virtue of the said act or acts, shall be recovered and distributed, and may be mitigated or remitted, in like manner as if the same had continued in full force and virtue: *And provided also*, That nothing herein contained shall be construed to authorize or permit the importation of goods, wares, or merchandise, or of any article, the property of, or belonging, at the time of such importation, to, the enemy or enemies of the United States. [*Approved, April 14, 1814.*]

CHAP. 645. [CXVI.] An act declaring the assent of congress to an act of the general assembly of the state of Tennessee, therein mentioned.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the assent of congress is hereby given and declared to an act of the general assembly of the state of Tennessee, entitled "An act to provide for the more equal and equitable apportionment of the direct tax, laid upon the state of Tennessee by an act of the congress of the United States at the last session, among the counties in this state:" *Provided*, That if all the principal assessors shall not have been appointed prior to the first day of February last past, that then, and in that case, the principal assessors, in the respective assessment districts, shall suspend the delivery of the tax lists to the respective collectors for one month after the time allowed for the last appointed assessor to complete the assessments and make out his tax lists, to be delivered to the collector; during which time of one month, it shall be the duty of the several principal assessors to comply with the provisions of the above described act of the general assembly of the state of Tennessee.

SECT. 2. *And be it further enacted*, That it shall be the duty of the principal assessor last appointed, to give at least one month's notice to the other principal assessors, by publication in the newspapers published at Nashville, Knoxville, and Hawkins Courthouse, of the time of meeting, at the seat of government of

The assent of congress declared to an act of the general assembly of Tennessee providing for the more equal and equitable apportionment of the direct tax, &c. Proviso; if all the principal assessors have not been appointed prior to the 1st of Feb. 1814, the principal assessors to suspend the delivery of the tax lists to the collectors for one month, &c. The principal assessors, in the meantime, to comply with the provisions of the act of Tennessee. The principal assessor last appointed, to give notice in the newspapers of the time of meeting to

said state, to make the appointments aforesaid, which time of meeting shall be at least twenty days before the period at which the principal assessor last appointed will be required to deliver his tax lists to his principal collector. 1814.

SECT. 3. *And be it further enacted*, That if all the principal assessors should not attend at the time notified as aforesaid, that then, and in that case, those that do attend shall proceed to make an apportionment for their respective districts, by making the quota of each county bear the same proportion to the aggregate amount of the direct tax already apportioned among the several counties of their respective districts, by the act of congress passed at the last session, that the assessed value of the property of each county bears to the aggregate amount of the assessed value of the property of all the counties in the districts of those who do attend.

If all the principal assessors should not attend, &c. those who do attend are to proceed to make an apportionment for their respective districts, &c.

SECT. 4. *And be it further enacted*, That if any one or more of the principal assessors shall fail to attend and perform the duties enjoined by the provisions of this act, and the act of the state of Tennessee, which is herein referred to, that then, and in that case, such principal assessor or assessors shall immediately afterwards proceed to make out tax lists, and the tax shall be collected in their respective districts in the same manner as if this act had not been passed. [Approved, April 14, 1814.]

If one or more of the principal assessors fail to attend and perform the duties enjoined, &c. they are, immediately afterwards, to proceed to make out tax lists, &c.

CHAP. 646. [CXVII.] An act authorizing an augmentation of the marine corps, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized to cause the marine corps, in the service of the United States, to be augmented by the appointment and enlistment of not exceeding one major, fourteen captains, twelve first lieutenants, twenty second lieutenants, sixty-one sergeants, forty-two drums and fifes, and six hundred and ninety-six privates, who shall be respectively allowed the same pay, bounty, clothing, and rations, and shall be employed under the same rules and regulations, to which the said marine corps are or shall be entitled and subject.

The president to cause the marine corps to be augmented, by the appointment and enlistment of the officers and men specified.

SECT. 2. *And be it further enacted*, That the adjutant, paymaster, and quartermaster, of the marine corps, may be taken either from the line of captains or subalterns, and the said officers shall, respectively, receive thirty dollars per month, in addition to their pay in the line, in full of all emoluments.

The adjutant, pay and quartermasters may be taken from the line of captains or subalterns, and to receive additional pay.

SECT. 3. *And be it further enacted*, That the president of the United States be, and he is hereby, authorized to confer brevet rank on such officers of the marine corps as shall distinguish themselves by gallant actions or meritorious conduct, or who shall have served ten years in any one grade: *Provided*, That nothing herein contained shall be so construed as to entitle officers so brevetted to any additional pay or emoluments, except when commanding separate stations or detachments, when they

The president authorized to confer brevet rank on officers of the marine corps, &c.

Provido; nothing herein to entitle officers brevetted to additional pay, &c. except when command-

1814. shall be entitled to and receive the same pay and emoluments which officers of the same grades are now, or hereafter may be, allowed by law.

ing separate stations of detachments, &c.

The president may appoint the officers in the recess, &c.

SECT. 4. *And be it further enacted*, That it shall be lawful for the president of the United States, in the recess of the senate, to appoint any of the officers authorized by this act; which appointments shall be submitted to the senate, at their next session, for their advice and consent.

The president may, in the recess, &c. appoint any officers of the navy authorized by law, &c.

SECT. 5. *And be it further enacted*, That it shall be lawful for the president of the United States, in the recess of the senate, to appoint all or any of the officers of the navy authorized by existing laws; which appointments shall be submitted to the senate at their next session, for their advice and consent.

[Approved, April 16, 1814.]

[\* Repealed, by act of 27th Feb. 1815; sec. 1, chap. 744, post.]

CHAP. 647. [CXVIII.] An act authorizing the appointment of certain officers for the flotilla service.\*

The president and senate authorized to appoint four captains and twelve lieutenants, to be employed in the flotilla service, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized, by and with the advice and consent of the senate, to appoint four captains and twelve lieutenants, to be employed in the flotilla service of the United States, without rank in the navy, but with the same relative rank and authority in the flotilla service as officers of the same grade are entitled to in the navy of the United States.

Pay and subsistence of the captains and lieutenants; who are to be governed by the rules provided for the navy.

SECT. 2. *And be it further enacted*, That the said captains shall receive the pay and subsistence of a captain in the navy commanding a ship of twenty and under thirty-two guns, and the lieutenants the same pay and subsistence as officers of the same rank are entitled to in the navy of the United States, and shall be governed by the rules and regulations provided for the government of the navy.

The president may appoint any of the officers authorized, &c. in the recess, &c.

SECT. 3. *And be it further enacted*, That it shall be lawful for the president of the United States to appoint, in the recess of the senate, any of the officers authorized by this act, which appointments shall be submitted to the senate at their next session.

[Approved, April 16, 1814.]

[† See the act revived and continued, chap. 169, vol. 3.]  
The act declaring the assent of congress to certain acts of Maryland and Georgia, revived, and continued in force until the 3d of March, 1822, provided, &c. [Ch. 169, vol. 3.]

CHAP. 648. [CXIX.] An act to revive and continue in force "An act declaring the assent of congress to certain acts of the states of Maryland and Georgia."†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the act which passed the seventeenth day of March, in the year one thousand eight hundred, entitled "An act declaring the assent of congress to certain acts of the states of Maryland and Georgia,"† be, and the same is hereby, revived and continued in

force until the third day of March, one thousand eight hundred and twenty-two: *Provided*, That nothing herein contained shall authorize the demand of a duty on tonnage, on vessels propelled by steam, employed in the transportation of passengers.

[*Approved, April 16, 1814.*]

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CHAP. 649. (e) [CXX.] An act confirming certain claims to land in the Illinois territory, and providing for their location.\*

[\* See amendment act, &c. of 27th Feb. 1815: chap. 749, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the decisions made by the commissioners (appointed in pursuance of the act, entitled "An act for the revision of former confirmations, and for confirming certain claims to land in the district of Kaskaskia,"† passed the twentieth day of February, one thousand eight hundred and twelve) where such decisions were in favor of the claims, and where the commissioners have reported specially, and have not rejected the claims; all such claims, as entered in their report to the secretary of the treasury, bearing date the fourth day of January, one thousand eight hundred and thirteen, shall be, and the same are hereby, confirmed.

The decisions made by the commissioners appointed in pursuance of the act mentioned, where such decisions were in favor, &c. as entered in the report to the secretary of the treasury, of the 4th Jan. 1813, confirmed. [† Ante, ch. 348.]

SECT. 2. *And be it further enacted*, That all the claims contained in a list transmitted to the secretary of the treasury by Michael Jones, one of the commissioners aforesaid, bearing date the eighteenth day of January, one thousand eight hundred and thirteen, shall be, and the same hereby are, confirmed: *Provided*, That any person who may have received a militia right, shall not receive, in addition thereto, more than three hundred acres of land by virtue of this section; and it shall be the duty of the commissioner of the general land office to enter the list aforesaid of record in his office: *And provided also*, That nothing in this act shall prevent or bar a judicial decision between persons claiming the same original title or claim.

All the claims contained in a list transmitted to the secretary of the treasury, by Michael Jones, &c. confirmed. *Provido*; any person who has received a militia right, not to receive, in addition, more than 300 acres, &c.

*Provido*; nothing in this act to prevent a judicial decision, &c.

SECT. 3. *And be it further enacted*, That all that tract of land included within the following boundary, viz: beginning at the township line nearest to, and above, the mouth of Big Muddy river, on the Mississippi river; thence, east, to the meridian line running from the mouth of the Ohio river; thence, north, with the said meridian line to the north boundary line of township number five, north; thence, west, to the Mississippi river; thence, down the same, to the beginning; shall be, and the same hereby is, reserved and set apart to satisfy the unlocated claims of persons to land within the Illinois territory confirmed to them heretofore or by this act.

The tract of land within the boundary described, set apart to satisfy the unlocated claims of persons to land within the Illinois territory heretofore confirmed to them, &c.

SECT. 4. *And be it further enacted*, That any person or persons residing within the tract reserved by this act, and who had actually cultivated or improved any tract of land therein, before the fifth day of February, one thousand eight hundred and thir-

Persons residing within the tract reserved, &c. who had actually improved the land before the 5th Feb. 1813, &c. enti-

(e) This chapter is erroneously referred to at page 236, vol. 3. That reference ought to be to chapter 650, of this volume.



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ted to pre-emption, &c.,  
 Provide; the purchaser not to enter less than a quarter, nor more than one, section.  
 Persons claiming pre-emption under this act, &c., may deliver to the receiver of public money, &c., the evidences of claim, which shall be received as payment, &c.

The register of the land office for the district of Kaskaskia to give notice, &c.

Persons failing or refusing to enter the land, &c., on or before the 1st Oct. 1814, lose the right of pre-emption.

After the 1st Oct. 1814, the owners of unlocated confirmed claims may enter, with the register of Kaskaskia district, not exceeding one-quarter section more, &c., and the evidence of their claims to be received in payment, &c.

If two or more persons apply at the same time, to enter the same tract, the priority to be decided by lot, &c.  
 Persons failing or refusing to enter their claims, &c., on or before the 1st of May, 1815, to forfeit all right or claim, &c.

The register for Kaskaskia district to make out certificates of confirmation, &c.

The certificate to specify the quantity of land, &c.

tees, not rightfully claimed by any other person, shall be entitled to a pre-emption in the purchase of such tract of land, including the improvement: *Provided*, That the purchaser shall not enter less than one-quarter section or more than one section. And any person claiming a pre-emption in the purchase under this act, who may be the owner of any unlocated confirmed claim which may be located within the tract aforesaid, shall be, and is hereby, authorized to deliver to the receiver of public money, for the district within which the land lies, the evidences of his or their claim, which shall be received as payment for the quantity of land such person or persons would have been entitled to locate by virtue thereof; and in all cases where the land purchased shall not be completely paid for by the evidences of confirmed claims, the residue of the land shall be paid for at the same price, in the same manner, under the same restrictions, and liable to the same forfeiture, as other public lands sold at private sale.

SECT. 5. *And be it further enacted*, That it shall be the duty of the register of the land office for the district of Kaskaskia, to give notice that all persons entitled to a pre-emption in the purchase of any tract of land by virtue of this act, may make such purchase, on application to him at his office, on or before the first day of October next; and any person failing or refusing to enter with the register of the land office the land by such person improved, on or before the first day of October next, shall lose the right of pre-emption given by this act.

SECT. 6. *And be it further enacted*, That, after the first day of October next, it shall be lawful for any person or persons, being the owner of any unlocated confirmed claim, to enter, with the register of the land office for the Kaskaskia district, any quantity of land within the reserved tract aforesaid, not exceeding one-quarter section more than the quantity of acres contained in his claim or claims, and to deliver, to the receiver of public money, the evidence of his claim, which shall be received in payment for the number of acres specified therein; and the residue of the land thus entered, which may exceed the amount of confirmed claims thus paid in, shall be paid for at the same price, and in like manner, as the other public lands of the United States sold at private sale. And if two or more persons shall make applications, at the same time, to enter the same tract or tracts of land, the priority of right to enter shall be decided by lot, in the presence of the register of the land office; and any person or persons failing or refusing to enter or locate his claim within the reserved tract aforesaid, according to the provisions of this act, on or before the first day of May, one thousand eight hundred and fifteen, shall forfeit all right or claim against the United States, derived from confirmations under this act or any former law.

SECT. 7. *And be it further enacted*, That it shall be the duty of the register of the land office for the Kaskaskia district, to make out a certificate of confirmation to each person whose claim or claims are confirmed by this act, or by any former law, within the territory of Illinois; and such certificate shall specify the quantity of land confirmed to the holder thereof, and shall be

sufficient evidence of claim, within the meaning of this act, to entitle the owner or holder thereof to a credit with the receiver of public moneys, for the quantity of land mentioned in such certificate, within the reserved tract aforesaid; and the register of the land office shall receive the sum of seventy-five cents from the person demanding and receiving such certificate. 1814.

75 cents to the register for each certificate.

**SECT. 8.** *And be it further enacted,* That patents shall be obtained for lands entered under this act, in the reserved tract aforesaid, in the same manner, and on the same terms, as are provided by law for other public lands of the United States. Patents to be obtained, &c. as provided by law for other public lands.

[Approved, April 16, 1814.]

**CHAP. 650. [CXXI.]** An act directing the disposition of money paid into the courts of the United States.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, upon the payment of any money into any district or circuit court of the United States, to abide the order of the court, the same shall be deposited in such incorporated bank as the court may designate, and there remain till it shall be decided to whom it of right belongs: *Provided,* That if in any judicial district there shall be no incorporated bank, the court may direct such money to be deposited according to its discretion: *Provided also,* That nothing herein shall be construed to prevent the delivery of any such money upon security, according to agreement of parties, under the direction of the court. Money paid into court, to abide the order thereof, to be deposited in such incorporated bank as the court may designate, &c.

*Provido; if no incorporated bank, the court may direct the deposit at discretion. Proviso; nothing herein to prevent the delivery of such money upon security, &c.*

**CHAP. 651. [CXXII.]** An act for the relief of Augustus M'Kinney and Layzel Bancroft.\*

[\* Private and obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he is hereby, authorized and required to remit the fines, penalties, and forfeitures, incurred by Augustus M'Kinney and Layzel Bancroft, who imported, in an open and public manner, into the district of Whitehall, on the twenty-seventh day of June, one thousand eight hundred and twelve, from Montreal, nine barrels of nitre.

*The secretary of the treasury required to remit the fines, &c. incurred by Augustus M'Kinney and Layzel Bancroft, who imported nine barrels of nitre from Montreal, &c.*

[Approved, April 18, 1814.]

**CHAP. 652. [CXXIII.]** An act for the relief of John P. Williamson and Thomas Rice.†

[† Private and obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the comptroller of the treasury be, and he is hereby, authorized to adjust and settle, on equitable principles, the accounts of Benjamin Wall, late marshal of the state of Georgia, and to allow any credit which the said Wall might have claimed against the

*The comptroller of the treasury authorized to settle, on equitable principles, the accounts of Benjamin Wall, late marshal of Georgia, and allow him credit, &c.*

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United States as an offset to a judgment obtained at the suit of the United States against John P. Williamson and Thomas Rice, as securities of the said Wall.

[*Approved, April 18, 1814.*]

CHAP. 653. [CXXIV.] An act granting pensions to the officers and seamen serving on board the revenue cutters in certain cases.

Officers and seamen of the revenue cutters, wounded or disabled whilst co-operating with the navy, &c. entitled to be placed on the navy pension list, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the officers and seamen of the revenue cutters of the United States, who have been, or may be, wounded or disabled in the discharge of their duty, whilst co-operating with the navy by order of the president of the United States, shall be entitled to be placed on the navy pension list, at the same rate of pension, and under the same regulations and restrictions, as are now provided by law for the officers and seamen of the navy.

[*Approved, April 18, 1814.*]

CHAP. 654. [CXXV.] An act fixing the time for the next meeting of congress.\*

[\*Obsolete.]

[This act provides that the next meeting of congress shall be on the last Monday in October, 1814.]

[*Approved, April 18, 1814.*]

CHAP. 655. [CXXVI.] An act fixing the salary of the paymaster of the army of the United States, and allowing a sum for the employment of additional clerks in his office, for the year one thousand eight hundred and fourteen, and providing for the appointment of assistant district paymasters.†

[† Expired.]

The paymaster of the army to receive an annual salary of 2,000 dolls. &c.

A further sum allowed for clerks, and for contingent expenses, in the paymaster's office, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* in lieu of the monthly compensation now allowed by law to the paymaster of the army of the United States, he shall receive an annual salary of two thousand dollars, to be paid, quarter yearly, at the treasury of the United States, and to commence on the first day of January last; and that, in addition to the amount already allowed by law for clerk hire, in the office of the paymaster of the army of the United States, there shall be allowed the further sum of five thousand five hundred and forty-seven dollars, for the purpose of employing additional clerks in, and for contingent expenses of, his office, for the present year, to be paid out of any money in the treasury, not otherwise appropriated.

The president and senate authorized to appoint not exceeding 30 assistant district paymasters, &c. Previous to the pre-

SECT. 2. *And be it further enacted, That* the president of the United States be, and he is hereby, authorized, by and with the advice and consent of the senate, to appoint so many assistant district paymasters, not exceeding thirty, as the public service may, in his opinion, require: *Provided, That* the president of

the United States shall have power to appoint any officer authorized by this act during the recess of the senate, to be submitted to them, for their advice and consent, at their next session. 1814.

SECT. 3. *And be it further enacted*, That it shall be the duty of the paymaster of the army, under the direction of the war department, to make all disbursements of money within that department to the district paymasters, and to adjust, state, and exhibit, their several accounts, according to such forms, and within such periods, as shall be prescribed for that purpose by the treasury department.

SECT. 4. *And be it further enacted*, That, to secure the regular and punctual payment of the troops, the district paymasters shall examine and transmit to the paymaster of the army the accounts and vouchers for all disbursements which have been made by them to the troops of the army or district where they shall be stationed, as soon as the first payment shall have been made, and accompany the same with an estimate for the next payment; which accounts and estimates shall be regularly transmitted, that settlements may be made and competent funds remitted: *Provided also*, That the said district and assistant paymasters shall make payments to the militia in the service of the United States, when required by the secretary of war or the paymaster of the army.

SECT. 5. *And be it further enacted*, That the assistant district paymasters shall receive the pay and emoluments of a captain of infantry, and forage for one horse.

SECT. 6. *And be it further enacted*, That the district and assistant district paymasters shall severally give bonds, with good and sufficient security, to the United States, for the faithful performance of their duties, in such sums as shall be required by the paymaster of the army, under the direction of the war department, and shall be subject to the rules and articles of war.

SECT. 7. *And be it further enacted*, That this act shall continue in force until the termination of the war in which the United States are now engaged with the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and for one year thereafter, and no longer. [Approved, April 18, 1814.]

CHAP. 656. [CXXVII.] An act to authorize the secretary of state to liquidate certain claims therein mentioned.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of state be, and he is hereby, directed to liquidate, according to principles of justice and equity, all the claims of the inhabitants of the late province of West Florida, now included within the limits of the state of Louisiana, or of the Mississippi territory, for advances by them made for the use and benefit of the United States, prior to, and since, the taking of possession of the said portion of the said late province of West Florida by the United States. [Approved, April 18, 1814.]

The secretary of state, directed to liquidate, according to principles of justice and equity, all claims of the inhabitants of West Florida, &c. for advances by them made for the use of the United States, prior, &c.

**1814. CHAP. 657. [CXXVIII.]** An act authorizing a subscription for the laws of the United States, and for the distribution thereof.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the department of state be, and he hereby is, authorized and directed to subscribe, on behalf of the United States, for one thousand copies of the edition of the laws thereof, proposed to be printed and published by John Bioren and W. John Duane, of the city of Philadelphia; and Roger C. Weightman, of the city of Washington, upon such terms as he may deem reasonable, not exceeding fifteen dollars per copy: *Provided,* That said publication shall contain an edition of the laws of the United States, the declaration of independence, the articles of confederation, and the constitution thereof, and the treaties and conventions made between the United States and foreign nations and the Indian tribes; and that it shall be comprised in four volumes, royal octavo, and shall include the laws passed at the present session of congress, and that all laws relating entirely to the district of Columbia shall be excluded therefrom: *And provided further,* That the said edition shall be executed on a plan, and in a manner, that shall be prescribed by the secretary of state and the attorney general of the United States, whose duty it shall be to direct what acts shall be printed by title only. And the secretary of state is hereby authorized and required to appoint a competent person to prepare said edition for publication, and to superintend the same, under the direction of the secretary of state and the attorney general, who, for his services, shall be compensated by the publishers.

**SECT. 2.** *And be it further enacted,* That the said secretary shall cause the said copies of the laws to be distributed as soon as may be after publication, in manner following: one set shall be delivered to the president of the United States, the vice president, and to each member of the senate and house of representatives; six sets shall be delivered to the secretary of the senate, and eighteen sets to the clerk of the house of representatives, for the use of said houses, respectively; one set shall be delivered to each of the judges of the supreme court, and clerk thereof, to each of the judges of the district courts, and to each of the marshals, clerks, and attorneys, of each district; one set shall be delivered to the secretary of state, the secretary of the treasury, to the secretary of war, to the secretary of the navy, to the attorney general, to the director of the mint, to the comptroller, auditor, and register, of the treasury, to the treasurer, to the accountants of the war and navy departments, to the postmaster general and the two assistant postmasters general, to the commissioner of the revenue, and to the commissioner of the general land office, each; two sets shall be delivered to the legislatures of the several states and territories, respectively; one set shall be delivered to each of the governors of the several states and territories; and one set shall be delivered to each of the judges of the courts in the several territories: and the residue of said subscription shall remain at the future disposal of congress.\*

The secretary of state directed to subscribe, on behalf of the United States, for 1,000 copies of the edition of the laws proposed to be published by John Bioren, W. J. Duane, and R. C. Weightman, &c.

Provido; as to what the publication shall contain, &c.

Laws relating to the district of Columbia excluded.

Provido; the edition to be executed on a plan to be prescribed by the secretary of state and attorney general, &c.

The secretary of state to appoint a competent person to prepare and superintend the edition, &c.

Manner of distributing the 1,000 copies subscribed for.

\* See resolutions, of 3d March, 1815; No. 12, post.]

**SECT. 3.** *And be it further enacted, That, in case of the death, resignation, or dismissal from office, of either of the officers before mentioned, excepting the president and vice president of the United States, the members of the senate and house of representatives, and the judges of the supreme and district courts, the said copies of the laws delivered to them, as aforesaid, shall belong to, and be delivered up to, their respective successors in the said offices.*

**SECT. 4.** *And be it further enacted, That the acts passed at each succeeding session of congress, including future treaties, shall be printed in a form corresponding with the said edition, and shall be distributed in the same manner as heretofore by law directed.* [Approved, April 18, 1814.]

*Except in the case of the president, and vice president, members of congress, and judges of the supreme and district courts, the copies of the laws are to belong to the successors of those who receive them. Future acts and treaties to be printed in a form corresponding, &c.*

**CHAP. 658. [CXXIX.]** An act authorizing the purchase of the vessels captured on lake Erie.\*

[\* Obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States be, and he is hereby, authorized to cause to be purchased the British vessels which were captured on lake Erie by the American squadron, on the tenth day of September, in the year one thousand eight hundred and thirteen; and the sum of two hundred and fifty-five thousand dollars, in payment for the said vessels, shall be distributed as prize money among the captors or their heirs.*

*The president authorized to cause the British vessels captured on lake Erie, &c. to be purchased, and \$255,000 dolls. in payment therefor, to be distributed as prize money among the captors, &c.*

**SECT. 2.** *And be it further enacted, That, for carrying into effect this act, a sum not exceeding two hundred and fifty-five thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated.*

*\$255,000 dolls. appropriated for the purchase, &c.*

**SECT. 3.** *And be it further enacted, That there be allowed and paid to captain Oliver H. Perry, out of any money in the treasury, not otherwise appropriated, in addition to his share of prize money, as commander of the ship Lawrence, the sum of five thousand dollars.* [Approved, April 18, 1814.]

*\$5,000 dolls. allowed to capt. Perry, in addition to his share of prize money, &c.*

**CHAP. 659. [CXXX.]** An act concerning invalid pensioners.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the secretary of war be, and he is hereby, directed to place the following named persons, (whose claims have been transmitted to congress pursuant to a law passed tenth April, one thousand eight hundred and six,†) on the pension list of invalid pensioners, according to the rates, and to commence at the times, herein mentioned; that is to say:*

*The secretary of war directed to place the persons named on the pension list, &c.*

[† Ante, ch. 25.]

Samuel C. Arickson, at the rate of five dollars per month, to commence the tenth June, one thousand eight hundred and thirteen.

*Names of persons to be placed on the pension list; rates of pensions, &c.*

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Names of persons to be placed on the pension list; rates of pensions, &c.

**Alexander Barr**, at the rate of one dollar twenty-five cents per month, to commence twenty-ninth July, one thousand eight hundred and thirteen.

**Ezra Bellows**, at the rate of five dollars per month, to commence from twentieth June, one thousand eight hundred and twelve.

**Daniel Dodd**, at the rate of two dollars fifty cents per month, to commence on the eighteenth of May, one thousand eight hundred and thirteen.

**Joel Terrell**, at the rate of three dollars thirty-three cents per month, to commence on the eighteenth December, one thousand eight hundred and thirteen.

**George Dugan**, at the rate of two dollars fifty cents per month, to commence on tenth February, one thousand eight hundred and fourteen.

**Joseph King**, at the rate of two dollars fifty cents per month, to commence the nineteenth October, one thousand eight hundred and thirteen.

**Andrew Green**, at the rate of one dollar sixty-seven cents per month, to commence on the fourteenth day of October, one thousand eight hundred and thirteen.

**Hugh Barns**, at the rate of five dollars per month, to commence fifteenth June, one thousand eight hundred and thirteen.

**Enoch Ducker**, at the rate of five dollars per month, to commence the second February, one thousand eight hundred and fourteen.

**Samuel Hawkins**, at the rate of three dollars and thirty-three cents per month, to commence on the fourth February, one thousand eight hundred and fourteen.

**Darby Mars**, at the rate of five dollars per month, to commence the twenty-fifth December, one thousand eight hundred and thirteen.

**Benjamin Daniels**, at the rate of twenty-five dollars per month, to commence the twenty-second February, one thousand eight hundred and fourteen.

**Robert M'Culloch**, at the rate of two dollars fifty cents per month, to commence the fourteenth February, one thousand eight hundred and fourteen.

**John Gilbert**, at the rate of five dollars per month, to commence the thirtieth June, one thousand eight hundred and thirteen.

**Henry Brenneman**, at the rate of five dollars per month, to commence the fourth February, one thousand eight hundred and fourteen.

**William Blanchard**, at the rate of five dollars per month, to commence the thirteenth July, one thousand eight hundred and thirteen.

**John Kersenaar**, at the rate of three dollars thirty-three cents per month, to commence the first March, one thousand eight hundred and fourteen.

**Robert Neil**, at the rate of five dollars per month, to commence the fifth of March, one thousand eight hundred fourteen.

John Berry, at the rate of five dollars per month, to commence the thirty-first March, one thousand eight hundred and fourteen. 1814.

Jonathan Willard, at the rate of ten dollars per month, to commence on March the seventh, one thousand eight hundred and fourteen. Names of persons to be placed on the pension list; rates of pensions, &c.

Levi Bishop, of New York, at the rate of five dollars per month, to commence the twelfth of October, one thousand eight hundred and twelve.

John Fain, at the rate of four dollars per month, to commence on the tenth day of September, one thousand eight hundred and thirteen.

SECT. 2. *And be it further enacted*, That the pensions of the following named persons, already placed on the pension list of the United States, whose claims for an increase of pension have been transmitted to congress, pursuant to the act aforesaid,\* be increased to the sums herein, respectively, annexed to their names; the said increase to commence at the times herein mentioned; that is to say: The pensions of the persons named, to be increased, &c. [\* Ante, ch. 25.]

Benjamin Jenkins, five dollars per month, to commence on the sixteenth of February, one thousand eight hundred and fourteen. Names of persons whose pensions are to be increased, &c.

Abner Rose, five dollars per month, to commence on the fourth of March, one thousand eight hundred and fourteen.

Richard Fairbrother, five dollars per month, to commence thirtieth September, one thousand eight hundred and thirteen.

Joseph Cutler, ten dollars per month, to commence on the twenty-eighth February, one thousand eight hundred and twelve.

Thomas Monday, five dollars per month, to commence on the thirtieth January, one thousand eight hundred and fourteen.

Hezekiah Bailey, ten dollars per month, to commence on the thirtieth December, one thousand eight hundred and thirteen.

Elisha Reynolds, three dollars thirty-three cents per month, to commence on the sixth April, one thousand eight hundred and twelve.

SECT. 3. *And be it further enacted*, That depositions, substantiating the facts necessary to entitle any person to be placed on the pension list, or to an increase of pension, may hereafter be taken before any judge of any of the courts of the state or territory in which such person may reside, and the certificate of the clerk of the court, whereof the said judge is a member, shall be a sufficient authentication of his being such a judge. Depositions, substantiating the facts necessary to entitle any person to be placed on the pension list, &c. may be taken before a judge of any of the states or territories, &c.

[Approved, April 18, 1814.]

CHAP. 660. [CXXXI.] An act for the relief of George Hamilton.†

[† Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That George Hamilton, who is confined in prison in the county of Washington, state of Pennsylvania, on a judgment obtained against him in favor of the United States, be discharged from George Hamilton, confined in prison on a judgment in favor of the United States, discharged, &c.



1814. his imprisonment: *Provided, however,* That any estate which the said George Hamilton now has, or may hereafter acquire, shall be liable to be taken, in the same manner as if he had not been imprisoned and discharged. [Approved, April 18, 1814.]

Proviso; present and future estate liable, &c.

CHAP. 661. [CXXXII.] An act extending relief to certain purchasers of public lands in the Mississippi territory.

Persons having purchased lands of the United States, in the Mississippi territory, and subjected to prosecutions by adverse claimants, deriving from a Spanish grant, &c. allowed a year, from the 1st June, 1814, for the payment of interest, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That any person or persons having purchased lands of the United States, in the Mississippi territory, who have been subjected to prosecutions by adverse claimants, who derived their titles from a Spanish grant, warrant, or order of survey, and where such prosecutions have terminated favorably to purchasers from the United States, such purchasers shall have one year, from the first day of June next, for the payment of any interest that may be due from them to the United States, on the purchases aforesaid. [Approved, April 18, 1814.]

[Private.]

CHAP. 662. [CXXXIII.] An act for the relief of Dennis Clark.\*

The receiver of public moneys for lands offered for sale at Cincinnati, required to pay Dennis Clark the full amount of moneys, &c. paid by him as purchase money for fractional section number 10, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the receiver of public moneys for the district of lands offered for sale at Cincinnati, be required to pay Dennis Clark the full amount of moneys, with interest, paid by the said Dennis Clark to the receiver aforesaid, in discharge of the purchase money for fractional section number ten, in the first township, and first range, east.

Dennis Clark permitted to enter 160 acres, at 2 dollars per acre, in any section, &c. within the Cincinnati district, &c.

SECT. 2. *And be it further enacted,* That the said Dennis Clark shall be permitted to enter, with the register of the land office, at two dollars per acre, one hundred and sixty acres of land, in any section, or part of a section, within the Cincinnati district, which has been reserved and offered for sale, but not sold, to be paid for as other lands of the United States.

[Approved, April 18, 1814.]

CHAP. 663. [CXXXIV.] An act to alter and establish certain post roads.

The post roads named, discontinued.

In Maryland.

In Virginia.

In North Carolina.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the post roads hereafter named be discontinued:

*In Maryland.* From Queen Ann's to Pig Point.

*In Virginia.* From Mecklinburg Courthouse, by St. Tammany and Lombardy Grove, to Gees's Bridge. From Tazewell Courthouse, by Russell Courthouse, and Lee Courthouse, to Cumberland Gap. From Springfield to Romney.

*In North Carolina.* From Suffolk, by Gates Courthouse, to

Edenton. From Elizabethtown to Whitesville. From Charlotte, by Beaty's Ford, to Lincolnton. 1814.

*In Georgia.* From Greensborough to Washington. From Darien, by Jones, to Milledgeville. *In Georgia.*

*In Kentucky.* From Lewis Courthouse, by Flemingsburg, Millersburg, Mount Sterling, Olympian Springs, and Little Sandy Salt Works, to Cattlettsburg. *In Kentucky.*

*In Tennessee.* From Alexander's, by White Plains, to Carthage. From Bledsoe Courthouse to Franklin Courthouse. *In Tennessee.*

*In Ohio.* From Steubenville, by Faucettstown, to New Lisbon. From New Lisbon, by Salem, to Columbiana. From Springfield to Troy. From Zanesville to Coshocton. *In Ohio.*

*In Louisiana.* From La Fourch, by Point Coupee, to Opelousa. *In Louisiana.*

*In Indiana.* From Jeffersonville, by Clarksville, to Vincennes. *In Indiana.*

SECT. 2. *And be it further enacted,* That the following be established post roads: *Post roads established.*

*In New Hampshire.* The post road from Rochester to Wakefield be altered, so that it pass through Farmington, Middleton, and Wolfborough, to Wakefield. *In New Hampshire.*

*In Maine.* From Waterford, by Norway, Plantation Third, Rumford, and Bethel, to Waterford. From Livermore, by Jay, and Wilton, to Farmington. *In Maine.*

*In Massachusetts.* From Springfield to Southwick. From Stafford, Connecticut, by Monson, to Palmer, in Massachusetts. From Hatfield, by Whatly, Conway, and Ashfield, to Charlemont. From Athol to Greenfield. From Kingston to Halifax. *In Massachusetts.*

*In Connecticut.* From Middletown, by Hebron, to Windham. From Sharon, by Ellsworth, Cornwall Bridge, and Warren, to Litchfield. From Providence, in Rhode Island, through Scituate, to Ashford, in Connecticut. *In Connecticut.*

*In New York.* From Bettsburg to Deposit. From Albany, by Bath, Sand Lake, Stephenson, Hancock, and Lanesborough, to Dalton, in Massachusetts. From Sheldon, by Willink, and Hamburg, to Buffalo. From Onondago, by Tully, Preble, and Homer, to Courtland Courthouse. From Chesterfield to Jay, in Essex county. From Peekskill, by West Point, to Newburg. From Stamford, by Waterville, to Roseville. From Esperanza, by Schoharie Courthouse, and Middleburg, to Stanford, on the turnpike road. From Middletown, Delaware county, by Colchester, and Hancock, to Deposit. From Aurelius to Sempronius. From Brooklyn to Flatbush. From Albany, by Spencertown, to Sheffield, in Massachusetts. From Cairo, by Windham, to Lexington. From Green, on the turnpike, west, to Lisle. *In New York.*

*In New Jersey.* From Morristown, by Newtown, to Millford, in Pennsylvania. *In New Jersey.*

*In Pennsylvania.* From Wysor, by Orewill, and Warren, to Nanticocke, in New Jersey. From Washington to West Alexandria. From York, by York Haven, to Middletown. From Somerset, by Melford, Turkeyfoot, and Addison, to Smith's Stand, on the national road. From Lewistown, by Beavertown, *In Pennsylvania.*

**1814.** Middleburg, and Selin's Grove, to Sunbury. From Beaver-town to Burgetstown. From Burgetstown, by Hookstown, Georgetown, Beaver Bridge, and Fulkstown, to New Lisbon, in Ohio. From Burlington to Easton. From Wilmington, by West Chester, to Pottsgrove, Swamp Churches, and Summary Town, to Samuel Seller's tavern, on the post road leading from Philadelphia toward Bethlehem, in Bucks county. From the town of Indiana, through Kataning, to Butler Town.

*In Ohio.* From Urbanna to Springfield, in Champaign county. From Canton, by Springfield, Suffield, Talmadge, and Stow, to Cleveland. From Portsmouth to Vanceburg, in Kentucky. From Urbanna to Troy. From Chillicothe, by Lebanon, to Cincinnati. From Athens, by Lancaster, to Columbus. From Cadiz, by Freeport, White Eyes Plains, Coshocton, Mount Vernon, and Clinton, to Fredericktown. From Steubenville, by Faucettstown, Fulkstown, Achor, Fairfield, Columbiana, Salem, Grissels, Sandy Store, Thompson's Salt Works, and Lower Salt Works, to Steubenville. From Columbus, by Washington, to Newmarket. From Columbus, by London, to Xenia.

*In Indiana.* From Eaton, in Ohio, to Salisbury. From Washington Courthouse to Valonia. From Charlestown, by Washington Courthouse, and Lindly's Mills, to Vincennes.

*In Illinois.* From Cahokia, by Madison Courthouse, and Clinton Hill, to Cahokia. From Kaskaskia to Johnson Courthouse.

*In Delaware.* From Christiana to Newark.

*In Maryland.* From Libertytown, by Union Bridge, and Uniontown, to Westminster. From Annapolis to Pig Point.

*In Virginia.* From Clarksburg, by Morgantown, Waynesboro', in Pennsylvania, to Wheeling. From Monroe Courthouse to Lewisburg. From Fredericksburg to the mouth of Potowmac Run. From Fincastle, by the mouth of Cowpasture, to Callahan's. From Norfolk, by Elizabeth City, to Edenton, in North Carolina. From Wood Courthouse to Jacksonville. From Abingdon, by Russell Courthouse, and Mockinson Gap, to Abingdon. From Pughtown to Springfield. From Dumfries, by Walnut Branch, to Fauquier Courthouse. From Columbia to Warren. From Charlottesville to Warren. From Percival's, by Lewisville, and Lombardy Grove, to St. Tammany. From Petersburg, by Frenchtown, to Morganville. From Hanover Courthouse, by Hanovertown and Newcastle, to New Kent Courthouse.

*In Kentucky.* From Mount Sterling to Floyd Courthouse. From Bairdstown, by Grayson Courthouse, and Butler Courthouse, to Russellville. From Washington, by Williamsburg, to Lewis Courthouse. From Greenup Courthouse to Little Sandy Salt Works.

*In North Carolina.* From Grayson Courthouse, Virginia, by Edwards and M'Millen's, to Ash Courthouse. From Suffolk, Virginia, by Sunbury and Gates Courthouse, to Edenton. From Trent Bridge, by Trenton, to Duplin Courthouse. From Winton to Gate's Courthouse. From Windsor to Williamston's.

From Wilmington, by Whiteville, and Fairbluff, to Barfield Mill, in South Carolina. From Charlotte to Lincolnton. From Salisbury to Lincolnton. From Hillsborough, by High Rock, to Lennox Castle. 1814.

In North Carolina.

*In Tennessee.* From Newport, by Greenville, Rogersville, and Lee Courthouse, in Virginia, to Cumberland Gap. From Carthage, by Sparta, to Alexander's. From Sparta, by M'Minville, and Winchester, in Franklin county, to Huntsville, in the Mississippi territory. In Tennessee.

*In South Carolina.* From Belfast, by Satterthwait's, to Cambridge. In South Carolina.

*In Georgia.* From Milledgeville, by Greenboro, Lexington, and Danielsville, to Carnsville. From Milledgeville, by Irvin- In Georgia.  
ton, Dublin, Montgomery Courthouse, Tatnal Courthouse, and Barrington, to Darien. From Dublin to Telfair Courthouse. From Riceboro, by Barrington, and Jefferson, to St. Marys. From Brunswick to Frederica.

*In Louisiana.* From Blanchardsville, by Assumption, to Opelousa. From Assumption to La Fourch (Interior) Courthouse. From Concordia to Washita Courthouse. From Concordia to Warren Courthouse. In Louisiana.

SECT. 3. *And be it further enacted,* That the postmaster general cause a mail to be carried from the nearest post office on any established post road to the courthouse of any county which is now, or may hereafter be, established in any of the states or territories of the United States, and which is not or will not otherwise be accommodated with the mail; and the road on which the same shall be so carried, shall thereupon become a post road, and so continue until other provision shall be made by law for the accommodation thereof with the mail. The postmaster general to cause a mail to be carried from the nearest post office on any established post road, to the courthouse of any established county in the states or territories; and the road to be a post road, &c.

SECT. 4. *And be it further enacted,* That the secretary of state be, and he is hereby, authorized to transmit by the mail, free of postage, one copy of the documents hereafter mentioned, being on subjects of a general nature, and which may be ordered to be printed by either house of congress, namely, of communications, with the accompanying documents, made by the president of the United States to congress, or either house thereof; of reports made by the secretary of state, by the secretary of the treasury, by the secretary of war, by the secretary of the navy, by the postmaster general, by the commissioners of the sinking fund, to congress, or either house thereof, in pursuance of any law or resolution of either house; affirmative reports on subjects of a general nature made to congress, or either house thereof, by any committee, respectively; for each of the judges of the supreme court, and of the district courts, and of the territories of the United States, to any post office within the United States, they may, respectively, designate. [Approved, April 18, 1814.] The secretary of state authorized to transmit the documents specified, free of postage, for each of the judges of the supreme and district courts, &c. to any post office they may designate.

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CHAP. 664. [CXXXV.] This is an act relating entirely to the district of Columbia. See act of 18th April, 1814; ante, sec. 1, chap. 657, post.

## 1814. CHAP. 665. [CXXXVI.] An act for the relief of Benjamin W. Crowninshield.\*

[\* Private and absolute.]

The secretary of the treasury authorized to cause certain certificates of stock to be renewed, which were issued to B. W. Crowninshield, as guardian, &c. and lost.

Provide: the renewal of the certificates to be subject to the rules and regulations established at the treasury, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the secretary of the treasury be, and he is hereby, authorized to cause to be renewed certain certificates of stock issued by the cashier of the Merchants' Bank of the town of Salem, to Benjamin W. Crowninshield, as guardian of the children of Jacob Crowninshield, which said certificates have been lost: Provided, however, That the renewal of the said certificates shall be subject to all the rules and regulations established at the treasury department for the renewal of certificates of funded stock.*

[Approved, April 18, 1814.]

## CHAP. 666. [CXXXVII.] An act to provide for the collection and preservation of such flags, standards, and colors, as shall have been, or may hereafter be, taken by the land and naval forces of the United States, from their enemies.

The secretaries of war and navy directed to cause to be collected and transmitted to them at the seat of government, all flags, &c. taken from enemies.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the secretaries of the war and navy departments be, and they are hereby, directed to cause to be collected and transmitted to them, at the seat of the government of the United States, all such flags, standards, and colors, as shall have been, or may hereafter be, taken by the army and navy of the United States, from their enemies.*

Flags, &c. taken from enemies, to be delivered to the president, for the purpose of being preserved and displayed, &c.

SECT. 2. *And be it further enacted, That all the flags, standards, and colors, of the description aforesaid, which are now in the possession of the departments aforesaid, and such as may be hereafter transmitted to them, be, with all convenient despatch, delivered to the president of the United States, for the purpose of being, under his direction, preserved and displayed in such public place as he shall deem proper.*

\$500 dolls. appropriated for the purposes of this act.

SECT. 3. *And be it further enacted, That the sum of five hundred dollars be, and the same is hereby, appropriated, for the above purposes, out of any moneys in the treasury, not otherwise appropriated. [Approved, April 18, 1814.]*

[† See act of 28th Feb. 1799; chap. 135, vol. 3.]

## CHAP. 667. [CXXXVIII.] An act to lessen the compensation for marshals, clerks, and attorneys, in the cases therein mentioned.†

After the 1st June, 1814, no daily compensation to be paid to the marshals or attorneys of the districts mentioned, for attending on the courts, &c.

Clerks of district and circuit courts entitled

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That, from and after the first day June next, there shall not be allowed or paid to either the marshal or attorney of the districts of Massachusetts, Rhode Island, Connecticut, the southern district of New York, or Pennsylvania, nor to the clerk of the district and circuit court of the United States, in either of said districts, any daily compensation for attending on the said courts; and that the clerks of the district and circuit courts of the United*

States shall be entitled to one-half of one per centum, and no more, on money deposited in court, any law to the contrary notwithstanding. [Approved, April 18, 1814.]

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only to one-half of 1 per cent. on money deposited, &c.

CHAP. 668. [CXXXIX.] An act in further addition to an act, entitled "An act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States."\*

[\* See orig. act, of 8th May, 1793; chap. 134, vol. 2.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in addition to the officers of the militia provided for by the act, entitled "An act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States,"† approved May the eighth, one thousand seven hundred and ninety-two, and by an act in addition to the said recited act, approved March the second, one thousand eight hundred and three,‡ there shall be, to each division, one division inspector, with the rank of lieutenant colonel, and one division quartermaster, with the rank of major; to each brigade, one aid de camp, with the rank of captain; and the quartermasters of brigade, heretofore provided for by law, shall have the rank of captain. And it shall be incumbent on the said officers to do and perform all the duties which, by law and military principles, are attached to their offices, respectively. [Approved, April 18, 1814.]

In addition to the officers of the militia provided for by the acts mentioned, there is to be a division inspector, and other officers, as specified, &c. [† Ch. 134, vol. 2.]

[‡ Ch. 328, vol. 3.]

CHAP. 669. [CXL.] An act for the relief of Archibald M'Call.

[§ Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That there be paid to Archibald M'Call, of the city of Philadelphia, out of any moneys in the treasury, not otherwise appropriated, the sum of eight thousand three hundred and four dollars and ninety-five cents, in full for the drawbacks due on the exportation of three hundred and ninety chests of Congo, and one hundred and fifty chests of Souchong, teas, to Bremen, in the ship Abigail, in the month of August, one thousand eight hundred and five; *Provided*, That the said M'Call prove, to the satisfaction of the comptroller of the treasury, that the said teas have been landed at some foreign port or place.

8,304 dolls. 95 cents to be paid to Archibald M'Call, in full for drawbacks due on the exportation of teas, &c.

Proviso: M'Call to prove that the teas have been landed at a foreign port.

[Approved, April 18, 1814.]

CHAP. 670. [CXLI.] An act in addition to the act, entitled "An act to provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes."||

[|| Expired. See orig. act, of 28th Feb. 1793; chap. 277, vol. 2.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That courts martial, to be composed of militia officers alone, for the trial of militia drafted, detached, and called forth, for the service of the United States, whether acting in conjunction with the re-

Courts martial, for the trial of militia, &c. to be composed of militia officers alone, to be held and conducted as prescribed by

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the rules and articles of war, &c.

Where an offence is punishable by stoppage of pay, &c. it is to be taken as having relation to the monthly pay existing, &c.

If a delinquent, directed to be summoned to appear before a court martial for neglect or refusing to obey orders, &c. in any of the cases recited, &c. should be absent, &c. it is a sufficient summoning if the noncommissioned officer leave a copy of the summons, &c. at the usual place of abode, &c.

[Ch. 37, vol. 2.]

In case of non-appearance of the delinquent, the court martial may proceed, &c.

The president of a court martial, if required, &c. is to issue his precept, commanding the attendance of any person, to testify, &c.

Any witness failing to appear, &c. to forfeit not exceeding \$0 dollars, &c.

A witness refusing to testify, &c. or any other person behaving improperly, &c. may be imprisoned by the court.

The sentence of a court martial to be carried into execution by military force, &c.

gular forces or otherwise, shall, whenever necessary, be appointed, held, and conducted, in the manner prescribed by the rules and articles of war for appointing, holding, and conducting, courts martial for the trial of delinquents in the army of the United States.

SECT. 2. *And be it further enacted*, That in all cases in the militia, where an offence is punishable by stoppage of pay, or by imposing a fine, limited by the amount of pay, the same shall be taken to have relation to the monthly pay existing at the time the offence was committed.

SECT. 3. *And be it further enacted*, That if any delinquent, directed to be summoned to appear before a court martial for neglect or refusal to obey the orders of the president of the United States, in any of the cases recited in the first, second, third, and fourth, sections of the act, entitled "An act to provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes,"\* passed February twenty-eighth, one thousand seven hundred and ninety-five, shall be absent when any noncommissioned officer shall call to summon him, it shall be a sufficient summoning of such delinquent if the noncommissioned officer leave a copy of the summons, or a written notice thereof, signed by him, with some person of suitable age and discretion, at the usual place of abode of such delinquent, at least ten days previous to the day of appearance. And in case of the nonappearance of such delinquent, the court martial may proceed with his trial in the same manner as if he had appeared and plead not guilty to the charge exhibited against him.

SECT. 4. *And be it further enacted*, That it shall be the duty of the president of any court martial for the trial of militia, if required, and upon his being duly satisfied that such testimony is material to the trial, to issue his precept, directed to any person to be summoned as a witness, commanding his or her attendance at such court, to testify for or against the person to be tried, as the case may be; and any witness, having been duly summoned, and failing to appear, without a reasonable excuse, shall forfeit and pay a sum not exceeding fifty dollars, to be sued for and recovered, in the name of the United States, by bill, plaint, or information, in any court of competent jurisdiction. And if any witness, when called upon for that purpose, shall refuse to testify, or shall behave with contempt to the court, or if any other person shall use any menacing words, signs, or gestures, in presence thereof, or shall cause any riot or disorder therein, it shall be lawful for such court to punish every such offender by imprisonment, for a term not exceeding one month, at the discretion of the court.

SECT. 5. *And be it further enacted*, That, for the purpose of carrying into execution the sentence, judgment, or order, of any such court martial, for any of the offences specified in the last clause of the preceding section of this act, it shall be lawful for the court to issue an order to any commissioned officer of militia, not below the rank of captain, commanding him to carry

the same into effect by military force, whose duty it shall be to obey the same, and execute the order accordingly.

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SECT. 6. *And be it further enacted,* That on the trial of delinquents, for offences not capital, by any such court martial, the deposition of witnesses taken before a justice of the peace, or other person authorized to take affidavits, to be read in any court of record in the state where the same shall be taken, may be read in evidence, provided the prosecutor and person accused are present at taking the same, or are duly notified thereof. And further, that the returns of captains, or other commanding officers of companies, of delinquents drafted or ordered into the service of the United States, who shall have refused or neglected to enter the same, sworn to as aforesaid, shall be competent evidence of the facts therein contained.

Depositions of witnesses, taken before a justice of the peace, &c. may be read on trial, provided the prosecutor and accused are present at the taking of them, &c. The returns of captains, &c. of delinquents drafted, &c. sworn to, &c. to be competent evidence, &c.

SECT. 7. *And be it further enacted,* That if any person shall wilfully swear false before any such court martial, or in any affidavit or deposition taken as aforesaid, he or she shall be adjudged to be guilty of wilful and corrupt perjury, and shall be indicted, tried, and punished, accordingly, by any court of competent jurisdiction in the state where such offence shall be committed.

Persons wilfully swearing false, &c. to be adjudged guilty of wilful and corrupt perjury, &c.

SECT. 8. *And be it further enacted,* That the militia, when called into the service of the United States by virtue of the before recited act, may, if, in the opinion of the president of the United States, the public interest require it, be compelled to serve for a term not exceeding six months after their arrival at the place of rendezvous, in any one year.

Militia, when called into service, &c. may be compelled to serve six months after their arrival at the place of rendezvous, &c.

SECT. 9. *And be it further enacted,* That regimental chaplains in the militia, which have been or shall be called into the service of the United States, shall receive the same monthly pay and rations as a captain of infantry, with the addition of forage for one horse; and whenever called forth into the service of the United States, division quartermasters shall be entitled to the pay, emoluments, and allowances, of a deputy quartermaster general; brigade quartermasters, to the pay, emoluments, and allowances, of an assistant deputy quartermaster general; and regimental quartermasters, to the pay and emoluments of a lieutenant of infantry, and sixteen dollars per month in addition thereto, and forage for one horse; division inspectors shall be entitled to the pay, emoluments, and allowances, of a lieutenant colonel of infantry; brigade majors, to the pay, emoluments, and allowances, of a major of infantry; aids de camp to brigadier generals, to the pay, emoluments, and allowances, of a captain of infantry; with an addition of sixteen dollars per month, and forage for one horse.

Pay, rations, &c. of regimental chaplains, and other officers of the militia, when called into service.

SECT. 10. *And be it further enacted,* That the expenses incurred, or to be incurred, by marching the militia of any state or territory of the United States to their places of rendezvous, in pursuance of a requisition of the president of the United States, or which shall have been, or may be, incurred in cases of calls made by the authority of any state or territory which shall have been or may be approved by him, shall be adjusted and paid in like manner as the expenses incurred after their arrival at such

Expense incurred by marching militia to the place of rendezvous, &c. to be adjusted and paid as expenses incurred after their arrival, &c.



1814. place of rendezvous, on the requisition of the president of the United States: *Provided*, That nothing herein contained shall be considered as authorizing any species of expenditure previous to arriving at the place of rendezvous, which is not provided by existing laws to be paid for after their arrival at such place of rendezvous.

Providing nothing herein to authorise any species of expenditure previous to, not provided to be paid for after, arrival at the place of rendezvous.

Where a brigade is called forth, the brigade major is to inspect and muster it, &c.

[\*Ch. 134, vol. 2.]

If less than a brigade, then, &c.

Two musters, &c.

If there is no brigade major in the vicinity, the commander may direct any officer, &c. to inspect and muster, &c.

Officers and privates having committed offences whilst in service, may be tried, &c. although the term of service may have expired, &c.

This act to continue in force until the 17th Feb. 1815.

SECT. 11. *And be it further enacted*, That in all cases where a brigade of militia shall be called forth for actual service, it shall be the duty of the brigade major of such brigade to inspect and muster the same, and sign the muster rolls, conformably to the provisions of the act, entitled "An act more effectually to provide for the national defence, by establishing a uniform militia throughout the United States.\*" If less than a brigade be called forth, then it shall be the duty of a brigade major of the district wherein such militia may rendezvous, to inspect and muster the same, and sign the muster rolls: two musters to be made, in the manner aforesaid, one on the assembling, and the other on the discharge, of such militia. If there should be no brigade major in the vicinity, the commanding officer may direct any officer, under the rank of lieutenant colonel, whether of the regular troops or militia, to inspect and muster the militia so called forth.

SECT. 12. *And be it further enacted*, That any commissioned officer, noncommissioned officer, musician, or private, of the militia of the United States, who shall have committed an offence while in the actual service of the United States, may be tried and punished for the same, although his term of service may have expired, in like manner as if he had been actually in the service of the United States.

SECT. 13. *And be it further enacted*, That this act be continued in force for and during the present war, and no longer.

[*Approved, April 18, 1814.*]

[† Private and obsolete.]

CHAP. 671. [CXLII.] An act for the relief of Jervis Cutler.†

The proper accounting officers authorized to settle the account of Jervis Cutler, and allow him the pay, &c. of a captain for the time mentioned.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the proper accounting officers be, and they are hereby, authorized to settle and adjust the account of Jervis Cutler, late a captain in the army of the United States, and to allow him the pay and emolument of a captain, from the third of March until the fifteenth of June, one thousand eight hundred and nine.

[*Approved, April 18, 1814.*]

CHAP. 672. [CXLIII.] An act concerning the pay of officers, seamen, and marines, in the navy of the United States.

Pay and subsistence of commissioned and warrant officers.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the pay and subsistence of the respective commissioned and war-

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rant officers be as follows: a lieutenant, other than a master commandant, or lieutenant commanding a small vessel, forty dollars per month and three rations per day; a chaplain, forty dollars per month and two rations per day; a sailing master, forty dollars per month and two rations per day; a surgeon, fifty dollars per month and two rations per day; a surgeon's mate, thirty dollars per month and two rations per day; a purser, forty dollars per month and two rations per day; a boatswain, twenty dollars per month and two rations per day; a gunner, twenty dollars per month, and two rations per day; a sailmaker, twenty dollars per month, and two rations per day; and that the pay to be allowed to the petty officers and midshipmen, and the pay and bounty upon enlistment of the seamen, ordinary seamen, and marines, shall be fixed by the president of the United States: *Provided*, That the whole sum to be given for the whole pay aforesaid, and for the pay of officers, and that the amount of bounties upon enlistment of seamen and marines, shall not exceed, for any year, the amount which may, in such year, be appropriated for those purposes, respectively.

Pay of petty officers, &c. and pay and bounty on enlistment of seamen, &c. to be fixed by the president. *Provided*, the whole sum to be given for pay, &c. not to exceed the sum appropriated in any year.

SECT. 2. *And be it further enacted*, That the president be, and he is hereby, authorized to make an addition, not exceeding twenty-five per cent. to the pay of the officers, petty officers, midshipmen, seamen, and marines, engaged in any service, the hardships or disadvantages of which shall, in his judgment, render such an addition necessary. [Approved, April 18, 1814.]

The president authorized to make an addition, not exceeding 25 per cent. to the pay, &c. where the hardships, &c. of the service render it necessary.

CHAP. 673. [CXLIV.] An act supplemental to an act, entitled "An act for ascertaining the titles and claims to lands in that part of Louisiana which lies east of the river Mississippi and island of New Orleans."

[See orig. act of 22d April, 1814; ante, chap. 399.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the time for delivering notices, and the evidences of claims, to lands, as required by the act to which this is a supplement, be, and the same hereby is, extended until the first day of September next.

The time for delivering notices, &c. of claims, &c. extended to the 1st Sept. 1814.

SECT. 2. *And be it further enacted*, That it shall be the duty of the commissioners appointed under the act aforesaid, to receive such evidences as to them may be offered in support of any claims which may not be embraced by said act, and to report the same, together with those referred to in the first section of this act, on or before the first day of November next, to the commissioner of the general land office, to be by him laid before congress, at their next session.

The commissioners appointed under the act referred to; &c. are to receive evidences offered, &c. and report them to the commissioner of the general land office, &c.

SECT. 3. *And be it further enacted*, That the commissioner for the district east of Pearl river and west of the Perdido be, and he is hereby, authorized and required to receive and make report, as aforesaid, on all claims to lands lying east of the river Tombigbee. [Approved, April 18, 1814.]

The commissioner for the district east of Pearl river, &c. required to receive and make report on all claims to lands east of the Tombigbee.

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## CHAP. 674. [CXLV.] An act for the relief of John Pitchlyn.\*

[\* Private and obsolete.]

The proper accounting officers of the department of war required to settle the account of John Pitchlyn, interpreter for the Choctaws, and allow him a reasonable compensation for his services, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officers of the department of war be, and they are hereby, authorized and required, to settle and adjust the account of John Pitchlyn, late an interpreter for the Choctaw Indians, and to allow him a reasonable compensation for his services from the first of February, one thousand seven hundred and eighty-six, until the third of March, one thousand seven hundred and eighty-nine, the amount whereof shall be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, April 18, 1814.]

## CHAP. 675. [CXLVI.] An act to fix the compensation of the clerks employed in the offices of the secretary of the senate and clerk of the house of representatives.

The principal clerk in the office of the secretary of the senate, and of the clerk of the house, allowed 1,500 doll. per ann. and each of the engrossing clerks 1,250 doll. &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, in lieu of the annual compensations of the clerks employed in the office of the secretary of the senate, and in the office of the clerk of the house of representatives, as now fixed by law, there shall be allowed, to the principal clerk in each of said offices, fifteen hundred dollars, and to each of the engrossing clerks employed in said offices, twelve hundred and fifty dollars, per annum, to be paid, quarter yearly, out of any money in the treasury, not otherwise appropriated.

This act to take effect from the 31st Dec. 1815.

SECT. 2. *And be it further enacted,* That this act shall take effect from and after the thirty-first day of December, one thousand eight hundred and thirteen. [Approved, April 18, 1814.]

## CHAP. 676. [CXLVII.] An act for the renewal of a land warrant to George Shannon.†

[† Private.]

The secretary of war directed to cause to be granted to George Shannon a warrant for 320 acres of land, in lieu of one for the same quantity, which has been lost, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of war be, and he hereby is, directed to cause to be granted to George Shannon, a warrant for three hundred and twenty acres of land, in lieu of warrant number twenty-one, for the said quantity of land, issued to the said Shannon, on the sixth day of March, one thousand eight hundred and seven, under an act of congress passed the third day of March, one thousand eight hundred and seven, entitled "An act making compensation to Messieurs Lewis and Clark, and their companions,"‡ which is lost; which said warrant, so to be granted, shall have all the properties of the one heretofore obtained by the said Shannon: *Provided, nevertheless, and it is hereby declared,* That the said warrant heretofore obtained by the said Shannon, and any proceedings that may be had thereon, shall be null and void to all intents and purposes. [Approved, April 18, 1814.]

[‡ Ante, ch. 97.]

proviso; the warrant heretofore obtained by Shannon, &c. to be null and void.

CHAP. 677. [CXLVIII.] An act for the relief of John Whitney and Joseph H. Dorr.\*

1814.

[\*Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the secretary of the treasury of the United States be, and hereby is, authorized and empowered, upon the petition of John Whitney and Joseph H. Dorr, the sureties of the owners of the schooner Industry, to remit the penalty which the said owners incurred by the illegal unloading of sixty-nine boxes and eight half boxes of segars, and nineteen hundred and eighty-six pounds of coffee, from said schooner, at the port of Edgartown, in the district of Massachusetts, in the year of our Lord eighteen hundred and nine, in the same way and manner as he is now by law empowered to remit the same upon the petition of the said owners; and the said secretary is also authorized to pay to the said Whitney and Dorr, out of any moneys in the treasury, not otherwise appropriated, any sum that may be by him so remitted: *Provided, however,* This act shall not be construed to authorize the remission of any greater portion of said penalty than what has accrued to the use of the United States: *And provided also,* That the said secretary shall be of opinion that the said penalty ought to be remitted. [Approved, April 18, 1814.]

The secretary of the treasury empowered, upon the petition of John Whitney and Joseph H. Dorr, to remit the penalty which the owners of the schooner Industry incurred by the illegal unloading of segars and coffee, at Edgartown, in 1809, &c.

Provide; no greater portion of the penalty to be remitted than what has accrued to the use of the United States. Provide; if the secretary thinks the penalty ought to be remitted.

CHAP. 678. [CXLIX.] An act for the relief of John D. Hay.†

[†Private and obsolete.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* John D. Hay, postmaster at Vincennes, be, and he is hereby, released and discharged from the payment of three hundred and twenty-five dollars received by him as postmaster for the general post office department, which said three hundred and twenty-five dollars were, together with other property belonging to the said John D. Hay, destroyed by fire. [Approved, April 18, 1814.]

John D. Hay, postmaster at Vincennes, released from the payment of 325 dolls. &c. which were destroyed by fire.

CHAP. 679. [CL.] An act to amend the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, and for other purposes.‡

[‡ See the act amended, of 3d Aug. 1813; ante, chap. 567.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* nothing contained in the first section of the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, shall be construed to extend to physicians who keep on hand medicines solely for the purpose of making up their own prescriptions for their own patients, nor shall any physician, surgeon, or chemist, for vending, solely in his practice, medicines to his patients, be subjected to take out license as a retail dealer in foreign merchandise.

Nothing in the first &c. of the act laying duties on licenses to retailers of wines, &c. to extend to physicians who keep medicines solely for their own patients, &c.

SECT. 2. *And be it further enacted, That* where any collector shall have required any physician, surgeon, or chemist, vending

Where collectors have required physicians.

1814.

Sec. vending medicines solely to patients, &c. to take out licenses, &c. they are to be cancelled, and the duties refunded, &c.

Upon the sale or transfer of a licensed still, the right of using it to accrue to the new proprietor, entry of such sale, &c. having been previously made, &c.

In case any still, &c. shall be burnt; &c. the collector to remit the portion of duties remaining unpaid, &c.

Provido; the burning to be verified previous to remission, &c.

Provido; the judge or justice before whom the burning is verified, must endorse on the certificate his belief of the facts, &c.

Persons, &c. dying, the heirs, &c. may retail under their licenses, &c.

Licenses may be transferred on application, in writing, to the collector, &c.

Persons, &c. dying, the heirs, &c. may employ the stills for the unexpired time of the license.

Provido; application to be pre-

medicine, exclusively to his patients in his practice, to take out license as a retail dealer in foreign merchandise, every such collector is hereby authorized and required to cancel every such license and to repay any money received for the same; and in every case where the money has not been received, to grant a release for the same.

SECT. 3. *And be it further enacted*, That, upon the sale or transfer of any licensed still or boiler, or other vessel used in distillation, the right of using the same, during the term for which such license shall remain in force, shall accrue to the new proprietor or possessor; entry of such sale or transfer having been previously made at the office of the collector for the district by the person selling or transferring the same, and the same having been endorsed on the original license.

SECT. 4. *And be it further enacted*, That in case any still, boiler, or other vessel used in distillation, shall be burnt, or otherwise destroyed, the collector for the district wherein the same shall have been situate, shall be empowered, and is hereby directed, to remit such portion of the duties which may have been bonded for the license granted therefor, and shall, at the time of the burning or destruction thereof, remain unpaid, as would have accrued for the time between such burning or destruction, and the expiration of the period for which such license was granted: *Provided*, That previous to such remission, the said burning or destruction shall be verified, under the oath or affirmation of the owner or superintendent of such still, boiler, or other vessel, before a judge or justice of the peace residing within the said district: *And provided*, That the said judge or justice shall endorse on said certificate his belief of the facts therein set forth, and that the burning or destruction did not arise from a fraudulent intent to defraud the revenue; and in case of such remission of duties, the license previously granted for such still, boiler, or other vessel used in distillation, shall be of no further avail.

SECT. 5. *And be it further enacted*, That in case any person or persons, to whom a license for retailing may be granted, shall die before the commencement or during the period thereof, the heirs, executors, or administrators, of such person or persons, shall be authorized to retail under the same; and any person to whom a license for retailing shall be granted, may, on application in writing to the collector for the district, have the same transferred to any other person in the same collection district; in which several cases it shall be the duty of the collector to endorse on the said licenses a certificate of such transfer, without which certificate this provision shall be of no avail.

SECT. 6. *And be it further enacted*, That in case any person or persons, to whom a license for employing a still in distilling spirituous liquors may be granted, shall die before the commencement, or during the period, thereof, the heirs, executors, or administrators, of such person or persons, shall be authorized to employ the same for the unexpired period of such license: *Provided*, An application, previous to using the same, be made, in

writing, by the said heirs, executors, or administrators, to the collector for the district, and that a certificate of such transfer be endorsed thereon by him; without which certificate this provision shall be of no avail. 1814.

**SECT. 7.** *And be it further enacted,* That it shall be the duty of any person to whom a license for retailing may have been granted, to produce and exhibit the same on the demand of the collector for the district, made at the place of retailing; for refusing to do which said person shall forfeit the sum of one hundred dollars.

*usually made by the heirs, in writing, to the collector, &c.*

*Retailers to produce their licenses on demand, &c. under a penalty of 100 dollars.*

**SECT. 8.** *And be it further enacted,* That, in case of the sickness or temporary inability of a collector to discharge such of his duties as cannot, under existing laws, be discharged by a deputy, they may be devolved by him on a deputy: *Provided,* Information thereof be immediately communicated to the commissioner of the revenue, and the same shall be approved by him: *And provided,* That the responsibility of the collector, or his sureties, to the United States, shall not be thereby impaired.

*In case of sickness, &c. the duties of a collector, or, which cannot, &c. may be devolved on a deputy; provided, &c.*

**SECT. 9.** *And be it further enacted,* That, in case a collector shall die, resign, or be removed, the deputy in his service, at the time immediately preceding, who shall have been longest employed by him, may and shall, until a successor is appointed, discharge all the duties of said collector.

*In case a collector dies, resigns, &c. the deputy longest employed may discharge the duties, until, &c.*

**SECT. 10.** *And be it further enacted,* That all letters and packets to and from the commissioner of the revenue, of whatever weight, shall be received and conveyed by the mail, free of postage. [*Approved, April 18, 1814.*]

*All letters, &c. to and from the commissioner of the revenue, to be received and conveyed free, &c.*

CHAP. 680. [CL.I.] An act making additional appropriations for the service of the year one thousand eight hundred and fourteen.\*

[\*Obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the sum of six hundred and twenty-five thousand dollars be, and the same is hereby, appropriated for the purpose of defraying the expenses which have been, or may be, incurred in building and equipping vessels of war on lakes Ontario and Champlain, to be paid, first, out of the balances of appropriations for the support of the navy remaining unexpended at the end of the year one thousand eight hundred and thirteen, and secondly, out of the surplus of any other appropriation which may, in the opinion of the president, be transferred to that object without injury to the public service.

*225,000 dollars, appropriated for defraying expenses incurred in building and equipping vessels of war on lakes Ontario and Champlain, &c.*

**SECT. 2.** *And be it further enacted,* That, for defraying the expense of additional clerks in the offices of the secretary of the treasury, comptroller, and auditor, of the United States, the following sums, in addition to the sum already appropriated, be, and they are hereby, appropriated: For the office of the secretary of the treasury, the sum of one thousand dollars; for the office of the comptroller, seven hundred dollars; and for the auditor's office, one thousand dollars; which several sums shall be paid out of any money in the treasury, not otherwise appropriated.

*Additional sums appropriated for defraying the expense of additional clerks in the offices of the secretary of the treasury, comptroller, and auditor, &c.*

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299,391 dolls. ap-  
propriated for  
pay the bounty,  
&c. of the ma-  
rine corps, &c.

**SECT. 3.** *And be it further enacted,* That, in addition to the sums already appropriated to those objects, the sum of one hundred and eighty-nine thousand two hundred and ninety-one dollars be, and the same is hereby, appropriated to pay the bounty, subsistence, clothing, and other expenses, of the marine corps, to be paid out of any moneys in the treasury, not otherwise appropriated.

233,700 dolls. ap-  
propriated for  
the bounty and  
pay of seamen,  
for the year  
1814, in addi-  
tion, &c.

**SECT. 4.** *And be it further enacted,* That the sum of one hundred and twenty-two thousand seven hundred dollars be appropriated for the bounty and pay of seamen, for the year one thousand eight hundred and fourteen, in addition to the sum already appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated. [*Approved, April 18, 1814.*]

**CHAP. 681. [CLII.]** An act concerning certificates of confirmation of claims to lands in the state of Louisiana.

Where certifi-  
cates of confirm-  
ation to lands  
lying in either  
of the districts  
of Louisiana,  
have been is-  
sued according  
to the act men-  
tioned, &c. the  
certificates are  
to be delivered  
to the principal  
deputy surveyor  
of the district,  
who is to sur-  
vey the lands at  
the expense of  
the United  
States, &c. make  
general and particular  
plats, and make  
return thereof  
to the proper  
register, and to  
the commis-  
sioner of the  
general land office.  
[*Ante, ch. 91.*]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, in all cases where certificates of confirmation to lands, lying in either of the land districts established by law in the state of Louisiana, have been issued agreeably with the provisions of the act, entitled "An act respecting claims to lands in the territories of Orleans and Louisiana,"\* passed the third March, one thousand eight hundred and seven, and which were directed to be filed with the proper register of the land office within twelve months after date, and on claims which are included in the transcript of divisions made in favor of claimants and transmitted to the secretary of the treasury, the said certificates shall, in every case where the lands have not been already surveyed according to law, be, by the said registers, delivered to the principal deputy surveyor of the district, together with the proper descriptions of the tracts to be surveyed, wherein the quantity, locality, and connexion, when practicable with each other, shall be stated, at any time after the expiration of three months from the passage of this act, (unless the claimant shall otherwise specially direct,) whose duty it shall be, under the direction of the surveyor of the lands south of Tennessee, to accurately survey the land, at the expense of the United States, according to the said certificates of confirmation and description, and make general and particular plats thereof, which he shall return to the office of the proper register, together with the original certificates; and it shall be the further duty of the said surveyor to make a like return of the plats to the commissioner of the general land office: *Provided,* The expense of surveying the said tracts shall not exceed that allowed by law for surveying the public lands in the said state.

*Provided,* the ex-  
pense of survey-  
ing not to ex-  
ceed, &c.

As soon as the  
tracts have been  
surveyed, &c.  
the register is to  
issue certificates  
in favor of the  
claimants, &c.

**SECT. 2.** *And be it further enacted,* That so soon as the said tracts of land shall have been thus surveyed, and the surveys thereof returned to the office of the proper register, together with the original certificates of the commissioners, it shall be the duty of the said register to issue certificates in favor of the claim-

ants entitled thereto, which he shall transmit to the commissioner of the general land office; and if it shall appear to the satisfaction of the said commissioner that the certificates have been fairly obtained, and correspond with the transcript heretofore transmitted to the secretary of the treasury, and the plats returned by the surveyors, patents shall be granted in like manner as is provided by law for the other public lands of the United States; which patents shall be transmitted by the commissioner of the general land office to the proper register, to be by him delivered to the claimants entitled thereto; and the said register, for delivering the certificates and descriptions of the tracts to the surveyor, making out and forwarding the returns to the general land office, and delivering the patents, shall be entitled to, and receive, from each claimant, the sum of two dollars for such patent so delivered. [*Approved, April 18, 1814.*]

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Patents to be granted, as provided by law for other public lands, &c.

\$ dolls. to the register for each patent delivered, &c.

CHAP. 682. [CLIII.] An act granting to the president and directors of the New Orleans Navigation Company, and their successors, a lot of ground.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That all the right and claim of the United States to a lot of ground in the county of Orleans, and state of Louisiana, bounded above by the lands of Don Miguel, and fronting on the bayou St. John, containing one hundred and eighty feet front and five hundred and forty feet back, including the improvements thereon, now occupied by the said company, be, and the same hereby is, vested in and conveyed to the president and directors of the Orleans Navigation Company, for the time being, and their successors, for the use and benefit of the said company forever.

The right and claim of the United States to a lot of ground in the county of Orleans, &c. as described, with the improvements, vested in and conveyed to the president and directors of the Orleans Navigation Company, &c.

[*Approved, April 18, 1814.*]

## RESOLUTIONS.

[No. 1.] Resolution for the printing and distribution of an additional number of the journals of congress, and of the documents published under their order.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That, of the public journals of the senate and of the house of representatives, of the present, and every future, congress, commencing with the present session, and of the documents published under the orders of the senate and of the house of representatives, respectively, from the commencement of the present session, there shall be printed two hundred copies beyond the number usually printed; of which twenty-five copies shall be deposited in the library of the United States, at the seat of government, to be delivered to members of congress during any session, and to all other persons authorized by law to use the books in the said library, upon their application to the librarian, and giving their responsible receipts for the

200 copies beyond the usual number of the public journals of congress, and of the documents published under orders of the senate and house, to be printed, commencing with the present session, &c. Distribution of the additional copies.



1814. same, in like manner as for other books. And that so many other of the said copies shall be transmitted, in like manner as the acts of congress are transmitted, to the executives of the several states and territories, as shall be sufficient to furnish one copy to each executive, one copy to each branch of every state and territorial legislature, one copy to each university and college in each state, and one copy to the historical society incorporated, or which shall be incorporated, in each state: and that the residue of the said two hundred copies be deposited in the library of the United States, subject to the future disposition of congress. [*Approved, December 27, 1813.*]

[No. 2.] Resolutions expressive of the sense of congress of the gallant conduct of captain Oliver H. Perry, the officers, seamen, marines, and infantry acting as such, on board of his squadron.

The thanks of congress presented to capt. Oliver H. Perry, and the officers, seamen, marines, &c. attached to the squadron under his command, for the decisive and glorious victory gained on lake Erie, &c.

The president requested to cause gold medals to be struck, &c. and to present them to captains Perry and Elliott, &c. A silver medal, &c. to each commissioned officer, and a sword to each midshipman and sailing master, &c.

The president requested to present a silver medal to the nearest male relative of lieutenant John Brooks, and a sword to the nearest male relatives of midshipmen Laub and Claxton, &c.

Three months' pay, exclusively, &c. allowed to the petty officers, seamen, and marines, &c.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That the thanks of congress be, and the same are hereby, presented to captain Oliver Hazard Perry, and, through him, to the officers, petty officers, seamen, marines, and infantry serving as such, attached to the squadron under his command, for the decisive and glorious victory gained on lake Erie, on the tenth of September, in the year one thousand eight hundred and thirteen, over a British squadron of superior force.

*Resolved,* That the president of the United States be requested to cause gold medals to be struck, emblematical of the action between the two squadrons, and to present them to captain Perry and captain Jesse D. Elliott, in such manner as will be most honorable to them; and that the president be further requested to present a silver medal, with suitable emblems and devices, to each of the commissioned officers, either of the navy or army, serving on board, and a sword to each of the midshipmen and sailing masters, who so nobly distinguished themselves on that memorable day.

*Resolved,* That the president of the United States be requested to present a silver medal, with like emblems and devices, to the nearest male relative of lieutenant John Brooks, of the marines, and a sword to the nearest male relatives of midshipmen Henry Laub and Thomas Claxton, jun. and to communicate to them the deep regret which congress feel for the loss of those gallant men, whose names ought to live in the recollection and affection of a grateful country, and whose conduct ought to be regarded as an example to future generations.

*Resolved,* That three months' pay be allowed, exclusively of the common allowance, to all the petty officers, seamen, marines, and infantry serving as such, who so gloriously supported the honor of the American flag, under the orders of their gallant commander, on that signal occasion.

[*Approved, January 6, 1814.*]

[No. 3.] Resolution relative to the brilliant achievement of Lieutenants Burrows and McCall.

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*Resolved, by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States be requested to present to the nearest male relative of lieutenant William Burrows, and to lieutenant Edward R. McCall, of the brig Enterprize, a gold medal, with suitable emblems and devices; and a silver medal, with like emblems and devices, to each of the commissioned officers of the aforesaid vessel, in testimony of the high sense entertained by congress of the gallantry and good conduct of the officers and crew in the conflict with the British sloop Boxer, on the fourth of September, in the year one thousand eight hundred and thirteen. And the president is also requested to communicate to the nearest male relative of lieutenant Burrows, the deep regret which congress feel for the loss of that valuable officer, who died in the arms of victory, nobly contending for his country's rights and fame. [Approved, January 6, 1814.]*

The president requested to present to the nearest male relative of lieut. Wm. Burrows, and to lieut. E. R. McCall, &c. a gold medal, &c. A silver medal, &c. to each of the commissioned officers of the brig Enterprize, &c.

The president requested to communicate to the nearest male relative of lieut. Burrows the deep regret which congress feel for his loss, &c.

[No. 4.] Resolution relative to the brilliant achievement of captain James Lawrence, in the capture of the British vessel of war the Peacock.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States be requested to present to the nearest male relative of captain James Lawrence, a gold medal, and a silver medal to each of the commissioned officers who served under him in the sloop of war Hornet, in her conflict with the British vessel of war the Peacock, in testimony of the high sense entertained by congress of the gallantry and good conduct of the officers and crew in the capture of that vessel; and the president is also requested to communicate to the nearest relative of captain Lawrence the sense which congress entertains of the loss which the naval service of the United States has since sustained in the death of that distinguished officer.*

The president requested to present to the nearest male relative of capt. James Lawrence a gold medal, and a silver medal to each of the commissioned officers who served under him in the Hornet, &c.

The president requested to communicate to the nearest relative of capt. Lawrence the sense which congress entertains of the loss the service has sustained by his death.

*[Approved, January 11, 1814.]*

[No. 5.] Resolution directing a sword to be presented to the nearest male relation of midshipman John Clark.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled, That the president of the United States be requested to present a sword to the nearest male relation of midshipman John Clark, who was slain gallantly combating the enemy in the glorious battle gained on lake Erie, under the command of captain Perry, and to communicate to him the deep regret which congress feels for the loss of that brave officer. [Approved, February 19, 1814.]*

The president requested to present a sword to the nearest male relation of midshipman John Clark, who was slain gallantly combating the enemy, &c.

# ACTS OF THE THIRTEENTH CONGRESS

OF

## THE UNITED STATES:

PASSED AT THE THIRD SESSION, WHICH WAS BEGUN AND HELD AT THE CITY OF WASHINGTON, IN THE DISTRICT OF COLUMBIA, ON MONDAY, THE 19TH OF SEPTEMBER, 1814, AND ENDED ON THE 30 OF MARCH, 1815.

James Madison, President. E. Gerry, Vice President, and President of the Senate. John Gaillard, President of the Senate, pro tempore, from the 1st of December. Langdon Cheves, Speaker of the House of Representatives.

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CHAP. 683. An act further to extend the right of suffrage, and to increase the number of members of the legislative council, in the Mississippi territory.

Every free white male citizen, 21 years old, and having paid a tax, &c. entitled to vote, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That each and every free white male person, being a citizen of the United States, who shall have attained the age of twenty-one years, and who shall have paid a county or territorial tax, and who also shall have resided one year in said territory previous to any general election, and be, at the time of any such election, a resident thereof, shall be entitled to vote for members of the house of representatives, and a delegate to congress, for the territory aforesaid: any thing in the ordinance or in any act relative to the government of said territory to the contrary notwithstanding.

The house of representatives to nominate eight persons, &c. to the president, four of whom to be appointed members of the legislative council, in addition, &c.

SECT. 2. *And be it further enacted,* That the house of representatives of the territory aforesaid be, and they hereby are, authorized, to nominate eight persons, being citizens of the United States, to the president of the United States, four of whom shall be appointed members of the legislative council for said territory, in addition to the number already provided, any act or ordinance to the contrary notwithstanding.

[Approved, October 25, 1814.]

CHAP. 684. An act further extending the time for locating Virginia military land warrants, and for returning the surveys thereon to the general land office.

The officers and soldiers of the Virginia line, &c. allowed until 3d Nov. 1817, to ob-

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the officers and soldiers of the Virginia line, on continental establishment, their heirs or assigns, entitled to bounty lands within the tract reserved by Virginia, between the little Miami

and Scioto rivers, for satisfying the legal bounties to her officers and soldiers upon continental establishment, shall be allowed a further term of three years, from and after the passage of this act, to obtain warrants and complete their locations, and a further term of five years, from and after the passage of this act as aforesaid, to return their surveys and warrants, or certified copies of warrants, to the general land office, any thing in any former act to the contrary notwithstanding: *Provided*, That no locations, as aforesaid, within the abovementioned tract, shall, after the passing of this act, be made on tracts of land for which patents had previously been issued, or which had been previously surveyed; and any patent which may, nevertheless, be obtained for land located contrary to the provisions of this act, shall be considered as null and void.

[*Approved, November 3, 1814.*]

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tain warrants,  
&c. and until  
the 3d Nov. 1819,  
to return their  
surveys, &c. to  
the general land  
office.

*Proviso*; no locations, &c. to be made on tracts for which patents had previously issued, &c.

CHAP. 685. An act authorizing the president of the United States to cause to be built or purchased the vessels therein described.\*

[\* Repealed. See sec. 5, chap. 74d. post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in addition to the present naval establishment, the president of the United States be, and he is hereby, authorized to cause to be built or purchased, manned, equipped, and officered, any number of vessels, not exceeding twenty, which, in his opinion, the public service may require, to carry not less than eight, nor more than sixteen, guns each.

The president authorized to cause to be built or purchased, &c. not exceeding 20 vessels, to carry from 8 to 16 guns, &c.

SECT. 2. *And be it further enacted*, That, for the building, or purchase, and equipping, of these vessels, the sum of six hundred thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated. [*Approved, November 15, 1814.*]

600,000 dols. appropriated for procuring and equipping the vessels, &c.

CHAP. 686. An act to authorize a loan for a sum not exceeding three millions of dollars.†

[† See act of 20th Dec. 1814; ch. 899, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized to borrow, on the credit of the United States, a sum not exceeding three millions of dollars, to be applied, in addition to the moneys now in the treasury, or which may be received from other sources, to defray any expenses which have been, or, during the present year, may be, authorized by law, and for which appropriations have been, or, during the present year, may be, made by law: *Provided*, That no engagement or contract shall be entered into, which shall preclude the United States from reimbursing any sum or sums thus borrowed, at any time after the expiration of twelve years from the last day of December next.

The president authorized to borrow not exceeding 3,000,000 dols. to defray authorized expenses, &c.

*Proviso*; no contract to preclude the United States from reimbursing after 12th Dec.

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The secretary of the treasury authorized to cause certificates of stock to be constituted and sold, &c.

The secretary of the treasury to lay before congress an account of the moneys obtained, &c.

The secretary of the treasury authorized to employ agents to procure subscriptions or to sell the stock, &c.

Commission to agents, &c.

Not exceeding 9,000 dollars appropriated for defraying expenses incident to the loan.

Treasury notes, payable on or before the 1st Jan. 1815, may be received in payment of loans, &c.

So much of the annual appropriation of \$,000,000 dollars, as may be wanted, &c. pledged for the payment of the interest and principal of the stock, &c.

The commissioners of the sinking fund to cause the necessary sums to be applied, &c. yearly, &c.

The commissioners may redeem the stock by purchase, &c.

**SECT. 2.** *And be it further enacted,* That the secretary of the treasury, with the approbation of the president of the United States, be, and he is hereby, authorized to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed by this act, or for any part thereof, and the same to be sold. And the secretary of the treasury shall lay before congress an account of all the moneys obtained by the sale of the certificates of stock in manner aforesaid, together with a statement of the rate at which the same may have been sold.

**SECT. 3.** *And be it further enacted,* That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to employ an agent or agents, for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock to be created by virtue thereof. A commission, not exceeding one-quarter of one per cent. on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the secretary of the treasury, be allowed to such agent or agents; and a sum not exceeding nine thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, is hereby appropriated for paying the amount of such commission or commissions as may be thus allowed, and also for defraying the expenses of printing, and issuing the subscription certificates and certificates of stock, and other expenses incident to the completing of the loan authorized by this act.

**SECT. 4.** *And be it further enacted,* That it shall be lawful to receive in payment of any loan obtained under this act, or under any other act of congress authorizing a loan, treasury notes which have been issued according to law, and which shall become due and payable on or before the first day of January next, at the par value of such treasury notes, together with the interest thereon accrued, at the time of the payment on account of the loan.

**SECT. 5.** *And be it further enacted,* That so much of the funds constituting the annual appropriation of eight millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest and such part of the principal of said debt, as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal, of the stock which may be created by virtue of this act. It shall, accordingly, be the duty of the commissioners of the sinking fund to cause to be applied and paid, out of the said fund, yearly, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal, as the same shall become due, and may be discharged, in conformity with the terms of the loan; and they are further authorized to apply, from time to time, such sum or sums, out of the said fund, as they may think proper, towards redeeming, by purchase, and at a price not above par, the principal of the said stock, or any part thereof.

**SECT. 6.** *And be it further enacted,* That, in addition to the annual sum of eight millions of dollars, heretofore appropriated to the sinking fund, adequate and permanent funds shall, during the present session of congress, be provided and appropriated, for the payment of the interest and reimbursement of the principal of said stock created by this act. 1814.

Adequate and permanent additional funds to be provided, &c. for payment of interest and principal, &c.

**SECT. 7.** *And be it further enacted,* That an adequate and permanent sinking fund, gradually to reduce, and eventually to extinguish, the public debt, contracted, and to be contracted, during the present war, shall also be established during the present session of congress.

Adequate and permanent sinking fund, &c. to be established, &c.

**SECT. 8.** *And be it further enacted,* That it shall be lawful for any of the banks in the district of Columbia, to lend any part of the sum authorized to be borrowed by virtue of this act, any thing in any of their charters to the contrary notwithstanding.

Any of the banks in the district of Columbia may lend any part of the sum authorized to be borrowed, &c.

[*Approved, November 15, 1814.*]

**CHAP. 687.** An act for the relief of John Chalmers, junior.\*

[\* Private and obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the navy department be, and they are hereby, directed to settle the account of John Chalmers, junior, and to allow the same for actual disbursements by him made, in the manufacture of cordage for the United States frigate Java, upon such terms as may embrace the justice of his case.

The accounting officers of the navy department directed to settle the account of John Chalmers, jun. and allow him for disbursements in the manufacture of cordage for the Java, &c. The amount, when, &c. to be paid out of the treasury, &c.

**SECT. 2.** *And be it further enacted,* That the amount thereof, when liquidated by the proper authority, shall be paid out of any money in the treasury, not otherwise appropriated.

[*Approved, November 21, 1814.*]

**CHAP. 688.** An act to authorize the publication of the laws of the United States within the territories of the United States.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary for the department of state be, and he is hereby, authorized to cause the laws of the United States, passed, or to be passed, during the present or any future session of congress, to be published in two of the public newspapers within each and every territory of the United States: *Provided,* In his opinion, it shall become necessary and expedient.

The secretary of state authorized to cause the laws to be published in two newspapers in each territory. *Provided;* if necessary, &c.

[*Approved, November 21, 1814.*]

**CHAP. 689.** An act authorizing the secretary of the treasury to appoint a clerk in the office of the commissioner of the revenue, with power to sign licenses.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That

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The head of the treasury authorized to designate a clerk to assist in signing licenses, &c. the clerk to sign his own name, &c.

the head of the treasury department shall be, and he is hereby, authorized, from time to time, as may be requisite, to designate a clerk in the office of the commissioner of the revenue, to assist in the signing of the licenses issuing from that office; and the clerk so designated shall have power to sign his own name to such licenses; which signature shall be as valid as that of the said commissioner of the revenue.

[*Approved, November 22, 1814.*]

CHAP. 690. An act authorizing the secretary of state, during the continuance of the present war, to make an additional allowance to the owners and masters of vessels, for bringing back to the United States destitute and distressed American seamen.\*

[\* Expired.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That during the continuance of the present war, the secretary of state be, and he is hereby, authorized, in addition to the sum of ten dollars, at present allowed by law for returning destitute American seamen to the United States, to allow such additional compensation as he may deem reasonable, to be paid out of the sum annually appropriated for the relief of destitute American seamen.

The secretary of state, during the war, may make additional reasonable allowance for returning destitute American seamen to the United States, &c.

The secretary of state authorized to adjust and settle claims exhibited at the department of state, for returning destitute American seamen, &c.

SECT. 2. *And be it further enacted,* That the secretary of state be, and he is hereby, authorized, to adjust and settle such claims as may have been exhibited at the department of state, for returning destitute American seamen to the United States, and to allow, in addition to the ten dollars at present allowed by law, such additional compensation as he may deem reasonable, and to pay the same out of the fund appropriated for the relief of destitute American seamen.

This act to continue in force until the 17th Feb. 1816.

SECT. 3. *And be it further enacted,* That this act shall continue and be in force during the continuance of the present war between the United States and Great Britain, and for one year thereafter. [*Approved, December 1, 1814.*]

[† Private.]

CHAP. 691. An act for the relief of John Castille, of the city of New Orleans.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he is hereby, authorized and required to discharge from his imprisonment John Castille, at present confined in the prison at Orleans, in consequence of a judgment obtained against him at the suit of the United States: *Provided, however,* That nothing contained in this act shall exonerate any property (which the said John Castille now has or may hereafter acquire) from the judgment obtained against him by the United States.

The secretary of the treasury required to discharge John Castille, confined at Orleans at the suit of the United States.

Provided present and future property liable, &c.

[*Approved, December 1, 1814.*]

CHAP. 693. An act making further provision for filling the ranks of the army of the United States.\*

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[\* See the note at the end of ch. 760, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* from and after the passing of this act, each and every commissioned officer who shall be employed in the recruiting service, shall be, and he hereby is, authorized to enlist into the army of the United States, any free, effective, able bodied man, between the ages of eighteen and fifty years; which enlistment shall be absolute and binding upon all persons under the age of twenty-one years, as well as upon persons of full age, such recruiting officer having complied with all the requisitions of the laws regulating the recruiting service.

Recruiting officers may enlist free, effective, able bodied men, from 18 to 50, &c.

The enlistment binding on persons under 21 years, &c.

SECT. 2. *And be it further enacted, That* it shall not be lawful for any recruiting officer to pay or deliver to a recruit under the age of twenty-one years, to be enlisted by virtue of this act, any bounty or clothing, or in any manner restrain him of his liberty, until after the expiration of four days from the time of his enlistment; and it shall be lawful for the said recruit, at any time during the said four days, to reconsider and withdraw his enlistment, and thereupon he shall forthwith be discharged and exonerated from the same.

Neither bounty nor clothing to be enlisted minors, nor restraint of liberty, until after 4 days, &c.

Minors may reconsider and withdraw enlistment during four days, &c.

SECT. 3. *And be it further enacted, That* so much of the fifth section of the act, passed the twentieth day of January, one thousand eight hundred and thirteen, entitled "An act supplementary to the act, entitled "An act for the more perfect organization of the army of the United States,"† as requires the consent, in writing, of the parent, guardian, or master, to authorize the enlistment of persons under the age of twenty-one years, shall be, and the same is hereby, repealed: *Provided, however, That, in case of the enlistment of any person held to service as an apprentice, under the provisions of this act, whenever such person, at the time of his enlistment, shall be held by his indenture to serve for any term between two and three years, his master shall be entitled to receive one-half of the money bounty; if held, in like manner, to serve between one and two years, the master shall be entitled to receive one-third of the money bounty as aforesaid; and if held, in like manner, to serve one year or less, the master shall be entitled to receive one-fourth of the money bounty as aforesaid.*

So much of the 5th sec. of the act mentioned, as requires the consent of parents, &c. repealed. [† Ante, ch. 477.]

Proviso; in case of the enlistment of an apprentice, the master is entitled to a portion of the money bounty.

SECT. 4. *And be it further enacted, That, in lieu of the bounty of one hundred and sixty acres of land, now allowed by law, there shall be allowed to each noncommissioned officer and soldier, hereafter enlisted, when discharged from service, who shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, three hundred and twenty acres of land, to be surveyed, laid off, and granted, under the same regulations, and, in every respect, in the manner now prescribed by law: and the widow and children, and if there be no widow nor child, the parents of every noncommissioned officer and soldier, enlisted according to law, who may be killed or die*

Each noncommissioned officer and soldier hereafter enlisted, to be entitled to 320 acres of land, in lieu, &c.

The widow and children, or parents, of those who are killed



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or die in the service, entitled to the land; but, &c.

Persons subject to militia duty, furnishing a recruit to serve for the war, exempted, &c.

Each recruit furnished, &c. to be delivered to a recruiting officer, who is to grant a receipt, and report to the department of war, &c.

Recruits furnished, &c. entitled to the bounty in land, &c.

in the service of the United States, shall be entitled to receive the three hundred and twenty acres of land as aforesaid; but the same shall not pass to collateral relations, any law heretofore passed to the contrary notwithstanding.

SECT. 5. *And be it further enacted*, That any person subject to militia duty, who shall, according to law, furnish a recruit for the army of the United States, at his own expense, to serve during the war, shall thereafter be exempt from militia duty during the war; and every recruit, thus furnished, shall be delivered to some recruiting officer of the United States, who shall immediately grant his receipt for such recruit, to the person furnishing him, and shall forthwith report the same to the department of war, and shall specify in the report the name of such person, and his place of residence, as well as the name and description of the recruit; whereupon it shall be the duty of the secretary for the department of war to grant to the person furnishing such recruit a certificate of exemption from militia duty during the war, upon calls made upon the authority of the United States, which certificate shall be good and available to all intents and purposes for that object: And every recruit thus furnished shall be entitled to the bounty in land, in the same manner, and upon the same conditions, as the other recruits in the army of the United States. [*Approved, December 10, 1814.*]

CHAP. 693. An act supplementary to an act, laying duties on notes of banks, bankers, and certain companies, on notes, bonds, and obligations, discounted by banks, bankers, and certain companies, and on bills of exchange of certain descriptions.\*

[\* See orig. act, of 3d Aug. 1813; ante, ch. 581.]

The secretary of the treasury may agree to an annual composition with private bankers, in lieu of stamp duties, at the rate of 1 and a half per cent. &c.

Private bankers desirous of compounding, to transmit a statement to the secretary of the treasury, verified on oath, &c. Every private banker, after composition, to keep a weekly account of discounts, issues, &c. transmit a monthly transcript to the secretary of the treasury, and make a half yearly statement of profits, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in respect to the stamp duties of any of the notes of private bankers which are subject by law to such duties, it shall be lawful for the secretary of the treasury to agree to an annual composition, in lieu thereof, with any of the said private bankers, at the rate of one and a half per centum on the amount of the annual profit made by such private bankers, respectively, upon the capital employed in the business of their respective banks, to be ascertained as is hereinafter provided.

SECT. 2. *And be it further enacted*, That every private banker, who shall be desirous to enter into the composition aforesaid, shall, at the time of proposing the same, transmit to the secretary of the treasury a statement, verified by his own oath or affirmation, and that of his cashier, or principal clerk, of the amount of the capital employed, or to be employed, in his bank, and the charges and expenses of conducting the business thereof, in such detail as shall be satisfactory to the secretary of the treasury. And every private banker, after entering into such composition, shall keep a weekly account of his discounts, issues of bank notes, and deposits, and shall, once in every month, transmit to the secretary of the treasury a transcript thereof, verified by oath or affirmation, as aforesaid; and he shall also, half yearly, make and

transmit to the secretary of the treasury a statement of the profits of his bank for the preceding half year, verified as aforesaid. 1814.

**SECT. 3.** *And be it further enacted,* That, for the purpose of carrying such compositions into effect, the secretary of the treasury may, from time to time, estimate the profits of the said private bankers, respectively, either according to the amount of the capital by them respectively stated to be employed in the business of their respective banks as aforesaid, and the half yearly profits by them respectively stated to be actually made thereon as aforesaid, or according to the amount of the capital, which, upon the general principle and practice of banking, would be requisite and proper for conducting the business of a bank, to the extent appearing upon the said monthly returns of the said private bankers respectively, and the usual profits made upon such capital. And the said private bankers, respectively, shall pay to the collector of internal duties, for the district wherein their banks, respectively, are established, for the use of the United States, a composition in lieu of the said stamp duties, at the rate of one and a half per centum on the profits of their respective banks, estimated and ascertained in either of the modes aforesaid.

For the purpose of carrying the compositions into effect, the secretary of the treasury may estimate the profits of private bankers, &c.

The private bankers to pay to the collector of internal duties, &c. a composition in lieu of stamp duties, at the rate of 1 and a half per cent. &c.

[Approved, December 10, 1814.]

**CHAP. 694.** An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by duties on carriages, and the harness used therefor.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That from the last day of December instant, there shall be paid the following yearly rates and duties upon every carriage, with the harness used therefor, kept for use, which shall not be exclusively employed in husbandry, or for the transportation of goods, according to the following valuations, to wit:

Yearly rates and duties after the 31st Dec. 1814, upon carriages, with the harness, &c.

If not exceeding fifty dollars, one dollar.

Rates, &c.

If above fifty, and not exceeding one hundred, dollars, two dollars.

If above one hundred, and not exceeding two hundred, dollars, four dollars.

If above two hundred, and not exceeding three hundred, seven dollars.

If above three hundred, and not exceeding four hundred, eleven dollars.

If above four hundred, and not exceeding five hundred, sixteen dollars.

If above five hundred, and not exceeding six hundred, twenty-two dollars.

If above six hundred dollars, and not exceeding eight hundred dollars, thirty dollars.

If above eight hundred dollars, and not exceeding one thousand dollars, forty dollars.

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Proviso; the owner, &c. not released from the obligation to make entry; and provided, &c.

The provisions of the act providing for the collection of internal duties, &c. to apply to the duties to be collected under this act, &c.  
[“Ante, ch. 584.”]

The internal duties imposed by this act, and those laid by the act imposing duties on carriages, pledged for the payment of the public debt, &c.

[“Ante, ch. 552.”]

The faith of the United States pledged for the effectual application of the revenue.  
Proviso; congress may substitute other duties, &c.

Proviso; nothing herein to impair any previous appropriation of the duties, &c.

and delivered to the collector for such district, according to which valuations, so far as the same may apply, the duties hereby imposed shall be thereafter assessed and collected: *Provided*, That the owner or keeper of a carriage liable to duty, shall not be thereby released from the obligation to make the entry hereby required to be made: *And provided further*, That carriages that are not contained in said list shall be also liable to duty.

SECT. 9. *And be it further enacted*, That the several provisions of “An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors,”\* passed the second day of August, one thousand eight hundred and thirteen, shall, and are hereby declared to, apply in full force to the duties laid by, and to be collected under, this act, the same as if such duties and this act were recognised therein; which said duties shall be collected by the same collectors, in the same manner, for the same commissions, and under the same directions, as are thereby established in relation to the other internal duties; and all the obligations, duties, and penalties, thereby imposed upon collectors, are hereby imposed upon the collectors of the duties laid by this act.

SECT. 10. *And be it further enacted*, That towards establishing an adequate revenue to provide for the payment of the expenses of government, for the punctual payment of the public debt, principal and interest, contracted and to be contracted, according to the terms of the contracts, respectively, and for creating an adequate sinking fund, gradually to reduce, and eventually to extinguish, the public debt, contracted and to be contracted, the internal duties laid and imposed by this act, (and those laid and imposed by the “act laying duties on carriages for the conveyance of persons,”† passed twenty-fourth July, one thousand eight hundred and thirteen, so far as the same are not hereby abolished,) shall be laid, levied, and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished, any thing in any act of congress to the contrary thereof in any wise notwithstanding. And, for effectual application of the revenue to be raised by and from the said internal duties to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged: *Provided always*, That whenever congress shall deem it expedient to alter, reduce, or change, the said internal duties, or any or either of them, it shall be lawful so to do, upon providing and substituting, by law, at the same time, and for the same purposes, other duties, which shall be equally productive with the duties so altered, reduced, or changed: *And provided further*, That nothing in this act contained shall be deemed or construed in any wise to rescind or impair any specific appropriation of the said duties, or any or either of them, heretofore made by law, but such appropriation shall remain and be carried into effect, according to the true intent and meaning of the laws making the same, any thing in this act to the contrary thereof in any wise notwithstanding.

**SECT. 11.** *And be it further enacted,* That the "Act laying duties on carriages for the conveyance of persons,"\* passed July twenty-fourth, one thousand eight hundred and thirteen, shall cease after the thirty-first day of December, one thousand eight hundred and fourteen, except so far as the same may apply to the collection of duties which may have previously accrued, and except so far as entries may have been made or duties paid under the same, as contemplated in the seventh section of this act: *Provided,* That all fines, penalties, and forfeitures, which have been, or may be, incurred under the said act, shall be recovered and distributed, and may be mitigated or remitted, in like manner as if the said act had continued in full force and virtue.

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The act laying duties on carriages, of 24th July, 1813, to cease, except, &c. [<sup>1</sup> Ante, ch. 592.]

Proviso: fines, penalties, &c. incurred under former act, to be recovered, &c.

[Approved, December 15, 1814.]

CHAP. 695. An act directing the staff officers of the army to comply with the requisitions of naval and marine officers, in certain cases.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That it shall be the duty of the several officers of the staff of the army of the United States, to provide the officers, seamen, and marines, of the navy of the United States, when acting, or proceeding to act, on shore, in co-operation with the land troops, upon the requisition of the commanding naval or marine officer of any such detachment of seamen or marines, under orders to act as aforesaid, with rations, also the officers and seamen with camp equipage, according to the relative rank and station of each, and the military regulations in like cases, together with the necessary transportation, as well for the men as for their baggage, provisions, and cannon: *Provided, nevertheless,* That the contract price of the rations which may be furnished shall be reimbursed out of the appropriations for the support of the navy.

Officers of the staff of the army to provide officers, seamen, and marines, of the navy, when acting on shore with land troops, upon requisition, &c. with rations and camp equipage, &c.

Proviso: the contract price of the rations to be reimbursed, &c.

**SECT. 2.** *And be it further enacted,* That the respective quartermasters of the army shall, upon the requisition of the commanding naval officer of any such detachment of seamen or marines, furnish the said officer and his necessary aids with horses, accoutrements, and forage, during the time they may be employed in co-operating with the land troops as aforesaid.

Quartermasters of the army to furnish commanding naval officers, &c. with horses, forage, &c.

[Approved, December 15, 1814.]

CHAP. 696. An act making additional appropriations for the service of the year one thousand eight hundred and fourteen.†

[† Obsolete.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for defraying the expenses of the military establishment during the year eighteen hundred and fourteen, in addition to the sums heretofore appropriated by law to that object, the following sums be, and they are hereby, appropriated; that is to say:

Additional sums appropriated for defraying the expenses of the military establishment during the year 1814.

For the pay of the army, five hundred thousand dollars.

For pay, &c.

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For subsistence.  
For quartermaster's department.

For ordnance department.  
For clothing.

Sums appropriated:

For compensation to members of congress, &c.

For contingent expenses of the senate, &c.

For contingent expenses of the house, &c.

The preceding appropriations to be paid out of the treasury, &c.

For the subsistence of the army, one million of dollars.

For the quartermaster's department, five hundred thousand dollars.

For the ordnance department, five hundred thousand dollars.

For clothing, five hundred thousand dollars.

SECT. 2. *And be it further enacted*, That the following sums be appropriated for the purposes herein recited; that is to say:

For defraying the compensation granted by law to the members of the senate and house of representatives, their officers and attendants, during the year one thousand eight hundred and fourteen, in addition to the sum heretofore appropriated for that purpose, the sum of fifty thousand dollars.

For defraying the contingent expenses of the senate of the United States, during the year one thousand eight hundred and fourteen, the sum of five thousand dollars, in addition to the sum heretofore appropriated.

For defraying the contingent expenses of the house of representatives, during the year one thousand eight hundred and fourteen, the sum of ten thousand dollars, in addition to the sum heretofore appropriated.

SECT. 3. *And be it further enacted*, That the several appropriations hereinbefore made, shall be paid and discharged out of any moneys in the treasury, not otherwise appropriated.

[*Approved, December 15, 1814.*]

CHAP. 697. An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on spirits distilled within the United States, and territories thereof, and by amending the act laying duties on licenses to distillers of spirituous liquors.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, from and after the first day of February next, there shall be paid upon all spirits, unless hereinafter specially excepted, which, after the said day, shall be distilled within the United States, or territories thereof, in any still or stills, or in any other vessel, or by the aid of any boiler, as defined in the act, entitled "An act laying duties on licenses to distillers of spirituous liquors,"\* in addition to the duties payable for licenses therefor, the duties following; that is to say: for every gallon of such spirits distilled wholly or in part from foreign materials, twenty cents; and for every gallon of such spirits distilled from domestic materials, twenty cents: which said duties shall be paid by the owner, agent, or superintendent, of the still or other vessel, in which the said spirits shall have been distilled: the amount thereof payable by any one person, at any one time, if not exceeding ten dollars, shall, and if exceeding ten dollars may, be paid in money, with a deduction of two per centum, at the time of rendering the accounts of spirits so chargeable with duty, required to be rendered by the second section of this act, or without deduction at the next subsequent time prescribed for rendering such accounts.

Additional duties upon distilled spirits after the 1st Feb. 1815.

[\*Ante, ch. 663.]

The duties to be paid by the owners of the stills, &c.

SECT. 2. *And be it further enacted,* That every person who, 1814.

on the first day of February next, shall be the owner of any still or boiler, or other vessel, used or intended to be used for the purpose of distilling spirituous liquors, or who shall have such still or boiler, or other vessel, under his superintendence, either as agent for the owner or on his own account, shall, before the said day, and every person who, after the said day, shall use or intend to use any still or boiler, or other vessel, as aforesaid, either as owner, agent, or otherwise, shall, before he shall begin so to use or cause the same so to be used, give bond in such sum as shall be prescribed by the treasury department, with at least two sureties, to the satisfaction of the collector of internal duties for the district in which the same shall be situate, in a sum not less than the computed duties for one year, nor less than one thousand dollars, that he will, before using or causing the same to be used, make true and exact entry and report, in writing, to the said collector, of every such still or boiler, or other vessel, owned or superintended by him, with the capacity thereof, the names of the owner, agent, and superintendent, the place where situate, and whether intended to be employed on foreign or domestic materials, with the quantity of domestic spirits, in gallons, which he may have on hand; that he will thereafter, before using or causing the same to be used, make like entry and report of any other still or boiler, or other vessel, used, or intended to be used, for distillation, that he may own, or have the agency or superintendence of, with the capacity thereof, the names of the owner, agent, and superintendent, the place where situate, and whether intended to be employed on foreign or domestic materials, with information, from time to time, of any change in the form, capacity, agency, ownership, or superintendence, which all or either of the said stills or boilers, or other vessels, may undergo; that he will, from day to day, enter, or cause to be entered, in a book to be kept by him for that purpose, and which shall be open at all times, between the rising and setting of the sun, for the inspection of the said collector, who may take any minutes, memorandums, or transcripts, thereof, the number of gallons of spirits distilled, keeping separate accounts of the spirits distilled from foreign and domestic materials; and will render to the said collector, on the first days of January, April, July, and October, in each year, or within ten days thereafter, a general account in writing, taken from his books, of the number of gallons of each kind of spirits distilled for three months preceding said days, or for such portion thereof as may have elapsed from the date of said entry and report, to the said day which shall next ensue; that he will, at the said times, deliver to the said collector the original book of entries, which book shall be retained by said officer; that he will verify or cause to be verified, the said entries, reports, books, and general accounts, on oath or affirmation, to be taken before the collector, or some officer authorized by the laws of the state to administer the same, according to the form required by this act, where the same is prescribed; and that he will pay to the said collector the duties which by this act ought

*Owners of stills, boilers, &c., to give bond, &c. before using them, &c.*

*Condition of the bond.*

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to be paid on the spirits so distilled, and in the said account mentioned, if not exceeding ten dollars, at the time of rendering an account thereof, with a deduction of two per centum, and if exceeding ten dollars, either at said time, with a like deduction, or at the next subsequent time prescribed for rendering such accounts, without deduction: and the said bond may, from time to time, at the discretion of the collector, be renewed or changed in regard to the sureties and penalties thereof.

The bond may be renewed or changed, &c.

The entries made in the books of the distiller, &c. to be verified by oath, &c.

Substance of the oath.

SECT. 3. *And be it further enacted*, That the entries made in the books of the distiller, required to be kept by the second section of this act, shall, on the said first days of January, April, July, and October, or within ten days thereafter, be verified by the oath or affirmation, to be taken as aforesaid, of the person or persons by whom such entries shall have been made, which qualification shall be certified at the end of such entries by the collector, or officer administering the same, and shall be in substance as follows: "*I do swear, (or affirm,) that the foregoing entries were made by me on the respective days specified, and that they state, according to the best of my knowledge and belief, the whole quantity of spirits distilled at the distillery, owned by ——— in the county of ——— amounting to ——— gallons, distilled from domestic materials, and ——— gallons, distilled from foreign materials.*"

If the original entries are not made by the owner, &c. additional oath to be taken, &c.

SECT. 4. *And be it further enacted*, That the owner, agent, or superintendent aforesaid, shall, in case the original entries required to be made in his books by the second section of this act shall not be made by himself, subjoin to the oath or affirmation of the person by whom they were made, the following oath or affirmation, to be taken as aforesaid: "*I do swear, (or affirm,) that, to the best of my knowledge and belief, the foregoing entries are just and true, and that I have taken all the means in my power to make them so.*"

An addition of 10 per cent. if duties are not duly paid.

If the duties and addition are not paid within three months, &c. they may be recovered by distress and sale, &c.

In case of distress, an account to be left with the owner, &c.

SECT. 5. *And be it further enacted*, That in all cases in which the duties aforesaid, payable on spirits, shall not be duly paid, the person or persons chargeable therewith shall pay in addition ten per centum on the amount thereof; and in case such duties, with said addition, shall not be paid within three months from the time the said duties ought to be paid, the collector for the district shall make a personal demand of the same from such person or persons, or by notice in writing, left at his or her dwelling, if within the collection district, and if not, at the distillery owned or superintended by such person or persons; and in case of refusal or neglect to pay the said duties, with the addition, within ten days after such demand or notice, the amount thereof shall be recovered by distress and sale of the goods, chattels, and effects, of the delinquent; and in case of such distress, it shall be the duty of the officer charged with the collection, to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distress, shall be left with the owner or possessor of such goods, chattels, or effects, or at his or her dwelling, with a note of the sum demanded, and the time and place of sale; and

the said officer shall, forthwith, cause a notification to be publicly posted up, at two of the taverns nearest to the residence of the person whose property shall be distrained, or at the courthouse of the same county, if not more than ten miles distant, which notice shall specify the articles distrained, and the time or place proposed for the sale thereof, which time shall not be less than ten days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distress: *Provided*, That in any case of distress for the payment of the duties aforesaid, the goods, chattels, or effects, so distrained, shall and may be restored to the owner or possessor, if, prior to the sale thereof, payment, or tender thereof, shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expenses of removing and keeping the goods, chattels, or effects, so distrained, as may be allowed in like cases by the laws or practice of the state or territory wherein the distress shall have been made; but in case of nonpayment, or tender, as aforesaid, the said officer shall proceed to sell the said goods, chattels, or effects, at public auction, and shall and may retain, from the proceeds of such sales, the amount demandable for the use of the United States, with the said necessary and reasonable expenses of distress and sale, as aforesaid, and a commission of five per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects, shall have been distrained: *Provided*, That it shall not be lawful to make distress of the tools or implements of a trade or profession, beasts of the plough necessary for the cultivation of improved lands, arms, or necessary household furniture, and apparel for a family.

SECT. 6. *And be it further enacted*, That all spirits which shall be distilled within the United States, or territories thereof, the duties on which shall not have been duly paid or secured, according to the true intent and meaning of this act, shall be forfeited, and may be seized as forfeited by any collector of the internal duties: *Provided always*, That such spirits shall not be liable to seizure and forfeiture in the hands of a bona fide purchaser without notice of the duties not being paid, or secured to be paid.

SECT. 7. *And be it further enacted*, That the owner, agent, or superintendent, of any still, boiler, or other vessel used in the distillation of spirits, who shall neglect or refuse to make true and exact entry and report of the same, or to do, or cause to be done, any of the things by this act required to be done as aforesaid, excepting to pay the duties hereby laid in cases where the bond required by the second section of this act has been given, shall forfeit, for every such neglect or refusal, all the spirits distilled by or for him, and the stills, boilers, and other vessels used in distillation, together with the sum of one thousand dollars, to be recovered, with costs of suit; which said spirits, with the vessels containing the same, and stills, boilers, and other vessels used in distillation, may be seized by any collector of the internal duties, and held by him until a decision shall be had thereon,

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The officer collecting to cause a notice to be publicly posted up, specifying the articles, and the time and place of sale, &c.

Proviso; in case of distress, the goods, &c. may be restored on payment, &c. prior to the sale, &c.

In case of non-payment, &c. the goods, &c. to be sold, &c.

Overplus to the owner, &c.

Proviso; not lawful to make distress of tools, &c.

Duties not having been duly paid, &c. distilled spirits forfeited, and may be seized, &c.

Proviso; spirits not liable to seizure, in the hands of a bona fide purchaser without notice, &c.

Owners, &c. neglecting or refusing to make entry of stills, &c. except, &c. the spirits, stills, &c. and 1,000 dolls. forfeited, &c.



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Provido; the seizure must be made within three months after the cause occurred, &c.

In case the duties are not paid, &c. or any acts are done contrary, &c. the bond to be put in suit, &c.

Judgment on the bond at return term, &c. unless, &c.

Provido; the writ must be executed 14 days before return day.

\$500 dolls. forfeit for obstructing a collector, or rescuing spirits, &c.

A collector may enter, at any time between the rising and setting of the sun, any distillery, to examine, &c.

\$500 dolls. forfeiture for refusing to admit the officer, &c.

The pains and penalties of corrupt perjury, and \$500 dolls. forfeit, for false swearing.

[§ See sec. 12, ch. 38, vol. 2.]

Persons who have neglected to comply with the provisions of this act, not entitled to license or credit, whilst, &c.

according to law: *Provided*, Such seizure be made within three months after the cause for the same may have occurred, and that a prosecution or action thereupon shall have been commenced by such collector, within twenty days after the seizure thereof.

SECT. 8. *And be it further enacted*, That in case the duties aforesaid shall not be paid or recovered agreeably to the provisions of this act, or in case any acts shall be done contrary to, or any acts omitted that are required to be done by, the bond to be given as aforesaid, or the penalties incurred thereby shall not be recovered, the said bond shall be deemed forfeited, and shall be put in suit by the collector, for the recovery of the amount of the said duties, with the addition thereon, penalties, and costs, or either, as the case may be; and judgment thereon shall and may be taken at the return term, on motion to be made in open court, unless sufficient cause to the contrary be shown to, and allowed by, the court: *Provided*, That the writ or process in such case shall have been executed at least fourteen days before the return day thereof.

SECT. 9. *And be it further enacted*, That if any person shall forcibly obstruct or hinder a collector in the execution of this act, or of any of the powers or authorities hereby vested in him, or shall forcibly rescue, or cause to be rescued, any spirits, still, boiler, or other vessel, after the same shall have been seized by him, or shall attempt or endeavor so to do, the person so offending shall, for every such offence, forfeit and pay the sum of five hundred dollars.

SECT. 10. *And be it further enacted*, That a collector shall be authorized to enter, at any time between the rising and setting of the sun, any distillery or place where any stills, boilers, or other vessels used in distillation, are kept, within his collection district, for the purpose of examining and measuring the same, and the other vessels therein, or of inspecting the accounts of spirits from time to time distilled. And every owner of such distillery, or stills, or boilers, or other vessels, or persons having the agency or superintendence of the same, who shall refuse to admit such officer, or to suffer him to examine and measure the same, or to inspect said accounts, shall, for every such refusal, forfeit and pay the sum of five hundred dollars.

SECT. 11. *And be it further enacted*, That any person who shall be convicted of wilfully taking a false oath or affirmation, in any of the cases in which an oath or affirmation is required to be taken in virtue of this act, shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury,\* and shall, moreover, forfeit the sum of five hundred dollars.

SECT. 12. *And be it further enacted*, That no person who shall have refused or neglected to comply with the provisions of this act, shall be entitled, while such refusal or neglect continues, to receive a license for employing, in distillation, any still, or boiler, or other vessel, or shall be entitled to credit for any duties on spirits that may have accrued,

**SECT. 13.** *And be it further enacted,* That every collector shall give receipts for all sums by him collected under this act. 1814.

Collectors to give receipts, &c.

Owners, &c. of stills, having ceased to use them for a year, &c. to have their bonds delivered to them.

**SECT. 14.** *And be it further enacted,* That if it shall appear to the satisfaction of the collector for the district, that any owner, agent, or superintendent, of a still, boiler, or other vessel used in distillation, who shall have given bond agreeably to the second section of this act, and shall have ceased to use the same for one year, and made oath or affirmation thereof, to be lodged with said collector, hath acted agreeably to the condition of such bond, the collector shall cause such bond to be delivered to said owner, agent, or superintendent.

**SECT. 15.** *And be it further enacted,* That all the provisions of this act, as well as of the "Act laying duties on licenses to distillers of spirituous liquors,"\* passed the twenty-fourth day of July, one thousand eight hundred and thirteen, shall be deemed to apply to any still, or boiler, or other vessel used in distillation, which shall be employed in the rectification of spirituous liquors, and to spirits rectified therein, or with the aid thereof.

The provisions of this act, &c. deemed to apply to any still, &c. employed in the rectification of spirits, &c. [<sup>1</sup> Ante, ch. 553.]

**SECT. 16.** *And be it further enacted,* That any license heretofore or hereafter granted for employing a still, boiler, or other vessel, in distilling spirits from foreign materials, shall authorize the distilling spirits from domestic materials also.

Licenses for distilling from foreign, also to authorize distilling from domestic materials.

**SECT. 17.** *And be it further enacted,* That the "Act laying duties on licenses to distillers of spirituous liquors,"† passed the twenty-fourth of July, one thousand eight hundred and thirteen, shall be deemed to remain in full force, except as to the alterations thereof contained in this act, and that the several provisions of "An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors,"‡ passed the second day of August, one thousand eight hundred and thirteen, shall, and are hereby declared to, apply in full force to the duties laid by, and to be collected under, this act, the same as if such duties and this act were recognised therein, which said duties shall be collected by the same collectors, in the same manner, for the same commissions, and under the same directions, as are thereby established in relation to the other internal duties; and all the obligations, duties, and penalties, thereby imposed upon the collectors, are hereby imposed upon the collectors of the duties laid by this act: *Provided,* That if any person to whom a license shall have been granted, according to the provisions of the act, entitled "An act laying duties on licenses to distillers of spirituous liquors,"§ and who shall have given bonds for the payment of the duties therein mentioned, shall, on or before the first day of February next, discontinue the use of any still or stills, for the use of which the said license shall have been granted, and shall give notice thereof to the collector of internal duties for the district in which the same shall be situate, such license shall thereupon cease to be in force, and such person shall be holden to pay the same duties, and the same proceedings shall be had upon the bonds aforesaid, as in case the said license had been originally granted for the term during which it shall have been in force as aforesaid.

The act laying duties on licenses to distillers, &c. of 24th July, 1813, to remain in force, except, &c. [<sup>1</sup> Ante, ch. 553.] The act making further provision for the collection of internal duties, to apply to the duties to be collected under this act, &c.

[<sup>2</sup> Ante, ch. 554.]

Previous persons to whom licenses have been granted, according to the act mentioned, &c. and discontinuing the use of any still on or before the 1st of Feb. 1816, giving notice, &c. the license to cease, &c. [<sup>3</sup> Ante, ch. 553.]

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Licenses may be granted for one week, &c. at the rate specified, &c.  
[<sup>1</sup> Ante, ch. 553.]

SECT. 18. *And be it further enacted*, That, in addition to the licenses authorized and directed to be granted by the "Act laying duties on licenses to distillers of spirituous liquors,"\* passed on the twenty-fourth day of July, one thousand eight hundred and thirteen, there may and shall be granted like licenses for a still or stills, and for a boiler or boilers, for the term or period of one week, on payment, or securing of payment, of the following duties, for each gallon of the capacity thereof:

For a still, or stills, employed in distilling spirits from domestic materials, five cents.

For a boiler, or boilers, as defined in the said act, employed in distilling spirits from domestic materials, ten cents.

One-half the rate, only for distilling roots.

One-half only of which rates of duty shall be paid for a still or stills, and boiler or boilers, employed wholly in the distillation of roots.

Duties to be collected in the same manner, &c.

Which said duties shall be collected in the same manner, and subject to the same provisions, as the duties imposed by the said act.

A deduction of eight per cent. for prompt payment of duty on license.

SECT. 19. *And be it further enacted*, That a deduction, at the rate of eight per centum per annum, shall be made from the duty payable for a license to distil spirituous liquors, on the payment thereof at the time of obtaining the same.

Owners, &c. of one still only, not exceeding 100 galls. capacity, or of one boiler, not exceeding 50 galls. distilling wholly from domestic materials, to have an option, &c.  
[<sup>1</sup> Ante, ch. 553.]

SECT. 20. *And be it further enacted*, That every person who may be the owner, agent, or superintendent, of one still only, whose capacity shall not exceed one hundred gallons, or of one boiler only, whose capacity shall not exceed fifty gallons, and each of which shall be wholly employed in distilling spirits from domestic materials, shall have the option of complying with the foregoing provisions of this act, and of the "Act laying duties on licenses to distillers of spirituous liquors,"† passed the twenty-fourth day of July, one thousand eight hundred and thirteen, or of paying, agreeably to the provisions of this act, twenty-five cents for every gallon of spirits distilled in such still or boiler: *Provided*, That, to entitle such person to the benefits of the latter alternative, he shall deliver a written statement of his desire to the collector of the district in which such still or boiler may be situate, specifying the contents of the same, previously to the times of using such still or boiler in every year. And any person so accepting the latter alternative, who shall fail to comply with the conditions on which the same is hereby allowed, shall forfeit and pay the sum of five hundred dollars; which said forfeiture shall in no wise affect or impair any other penalty which would otherwise attach to such failure.

Proviso; to entitle a person to the benefit of the alternative, he must deliver a written statement to the collector, &c. Any person accepting the alternative, and failing to comply, &c. to forfeit 500 dollars. &c.

Collectors to collect the duties, and prosecute for the recovery of them, &c.

Fines, penalties, &c. may be recovered, &c. by bill, plaint, &c.

SECT. 21. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act: And all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for, and recovered, in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture, shall

have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector, shall first discover, if other than a collector, shall first inform, of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court, within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

SECT. 22. *And be it further enacted*, That the collector shall furnish to each distiller within the collection district, an abstract of this act, and of the "Act laying duties on licenses to distillers of spirituous liquors,"\* and of such provisions of the "Act to amend the act, laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, and for other purposes,"† as regards distillers; which abstract shall be prepared and furnished to the collectors, under the direction of the secretary of the treasury.

SECT. 23. *And be it further enacted*, That towards establishing an adequate revenue, to provide for the payment of the expenses of government; for the punctual payment of the public debt, principal and interest, contracted and to be contracted, according to the terms of the contracts, respectively; and for creating an adequate sinking fund, gradually to reduce, and eventually to extinguish, the public debt, contracted, and to be contracted; the rates and duties laid and imposed by this act, and the duties laid and imposed upon licenses to distillers, in and by the said act, entitled "An act laying duties on licenses to distillers of spirituous liquors,"‡ shall continue to be laid, levied, and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished, any thing in the said act of congress to the contrary thereof in any wise notwithstanding. And, for the effectual application of the revenue to be raised by and from the said duties, to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged: *Provided always*, That whenever congress shall deem it expedient to alter, reduce, or change, the said duties, or either of them, it shall be lawful so to do, upon providing and substituting, by law, at the same time, and for the same purposes, other duties, which shall be equally productive with the duties so altered, reduced, or changed: *And provided further*, That nothing in this act contained shall be deemed or construed in any wise to rescind or impair any specific appropriation of the said duties, or either of them; but such appropriations shall remain and be carried into effect, according to the true intent and meaning of the law and laws making the same, any thing in this act to the contrary thereof in any wise notwithstanding.

SECT. 24. *And be it further enacted*, That in future it shall be lawful for the distiller or distillers of domestic spirits, and

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A moiety of fines, &c. to the informer, &c.

Where the cause of action accrues more than 50 miles distant from the nearest place for holding a district court, &c. recovery may be had before a court of the state, &c.

The collector to furnish each distiller with abstracts of the acts mentioned, &c.

[\*Ante, ch. 553.]

[†Ante, ch. 679.]

The rates and duties imposed by this act, &c. pledged for the payment of the public debt, &c.

[‡Ante, ch. 553.]

The faith of the United States pledged for the effectual application of the revenue, &c. *Provided*; congress may substitute other duties, &c.

*Provided*; nothing in this act to impair any specific appropriation of the duties, &c.

Distillers of domestic spirits, &c.

1814. all persons from whose materials such spirits shall be distilled, to sell, without license, any quantity thereof not less than one gallon.

may sell, without license, not less than a gallon.  
The president may authorize the secretary of the treasury to anticipate the receipt of the duties, by loan, not exceeding \$,000,000, &c.  
[<sup>1</sup> Ante, ch. 553.]

Banks incorporated, &c. may lend the money.

Provido; the money obtained on loan to be applied to the same purposes as the duties, &c.

SECT. 25. *And be it further enacted, That it shall be lawful for the president of the United States to authorize the secretary of the treasury to anticipate the collection and receipt of the duties laid and imposed by this act, and by the said act, entitled "An act laying duties on licenses to distillers of spirituous liquors,"\* by obtaining a loan, upon the pledge of the said duties for the reimbursement thereof, to an amount not exceeding six millions of dollars, and at a rate of interest not exceeding six per centum per annum. And any bank or banks, now incorporated, or which may hereafter be incorporated, under the authority of the United States, is and are hereby authorized to make such loan: Provided always, and it is expressly declared, That the money so obtained upon loan, shall be applied to the purposes aforesaid, to which the said duties, so to be pledged, are by this act applied and appropriated, and to no other purposes whatsoever. [Approved, December 21, 1814.]*

CHAP. 698. An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by duties on sales at auction, and on licenses to retail wines, spirituous liquors, and foreign merchandise, and for increasing the rates of postage.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That, from and after the first day of February next, there shall be laid, levied, and collected, for the use of the United States, a sum of one hundred per centum upon, and in addition to, the amount of the rates and duties respectively laid upon sales by way of auction, in and by the act of congress, entitled "An act laying duties on sales at auction of merchandise, and ships and vessels,"† passed on the twenty-fourth day of July, in the year eighteen hundred and thirteen. And the said additional duty of one hundred per centum shall be levied, collected, paid, and accounted for, in like manner, by the same officers, subject, in all respects, to the same regulations and provisions, and with the like fines, penalties, forfeitures, and remedies, from breaches of the law, as the said act of congress, and the act to amend the said act,‡ passed on the twenty-fourth day of March, in the year eighteen hundred and fourteen, declare and establish for levying, collecting, and paying, the original duties to which the said duty of one hundred per centum is hereby added and attached. And it shall be the duty of every auctioneer, who shall have given bond under the said acts, to give like bond under this act, subject to the same penalties prescribed in the said act, passed on the twenty-fourth day of July, one thousand eight hundred and thirteen. And all sales at auction of any part, or parcel, of any merchandise, with the design and effect to ascertain and fix a price for the whole, or for any other part, of such merchandise, without exposing the whole, or such*

Addition of 100 per cent. upon the rates and duties on sales at auction, after the 1st Feb. 1815, &c.

[<sup>1</sup> Ante, ch. 554.]

The additional duty to be collected as the original duties, &c.

[<sup>2</sup> Ante, ch. 690.]

Auctioneers to give bond under this act, &c.

Sales at auction of a part, to extend to the whole, of any merchandise, &c. whether, &c.

other part, to public sale, shall be deemed and taken to be sales at auction within the meaning of this act, and of the said act of congress, to the whole amount of the merchandise whereof the sale is so effected, whether the same is afterwards conducted and effected by the auctioneer, or by any person or persons acting as a commission merchant, factor, or agent, or by the owner and owners of the merchandise. And it shall be the duty of the auctioneers, respectively, to specify, in their quarterly accounts, upon oath or affirmation, all sales by them respectively made of a part or parcel of any merchandise as aforesaid, with the design and effect aforesaid, for whom and to whom such sales, respectively, were made, and the amount of the commissions or other compensation to them, respectively, paid, or payable, by reason of such sales, as well with respect to the part or parcel of the merchandise actually exposed to sale, as with respect to the whole, or any other part, of such merchandise, the sale whereof is designed and effected as aforesaid. And the neglect or refusal so to do, shall be deemed to be a breach of the bond of the auctioneer, so neglecting and refusing, who shall, also, in that behalf, forfeit and pay such other penalties as the said act of congress prescribes in case of the nonperformance of any other duty required from auctioneers, to be performed in taking out licenses, giving bonds, and keeping and rendering accounts.

Auctioneers to specify, in their quarterly accounts, &c. all sales of a part of any merchandise, &c.

Neglect or refusal to specify, deemed a breach of the bond, &c.

SECT. 2. *And be it further enacted*, That, from and after the first day of February next, there shall be added to the rates of postage, as at present established by law, a sum equal to fifty per centum upon the amount of such rates, respectively, for the use of the United States. And the said additional sum of fifty per centum shall be charged, collected, paid, and accounted for, in like manner, by the same officers, subject, in all respects, to the same regulations and provisions, and with the like fines, penalties, forfeitures, and remedies for breaches of the law, as are provided for charging, collecting, and paying, the original rates of postage to which the said sum of fifty per centum is hereby added and attached.

50 per cent. to the rates of postage, after the 1st Feb. 1815.

SECT. 3. *And be it further enacted*, That, from and after the first day of February next, there shall be laid, levied, collected, and paid, for the use of the United States, a sum of fifty per centum upon, and in addition to, the duties laid on licenses, granted in pursuance of the act of congress, entitled "An act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise,"\* passed the second day of August, in the year eighteen hundred and thirteen. And the said additional sum of fifty per centum shall be charged, paid, collected, and accounted for, in like manner, by the same officers, subject, in all respects, to the same regulations and provisions, and with the same fines, penalties, forfeitures, and remedies, for breaches of the law, as in and by the said last mentioned act of congress, and the act, entitled "An act to amend the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, and for other purposes,"† passed on the eighteenth day of April, in the year eighteen hundred and fourteen, are provided

50 per cent. additional to the duties laid on licenses to retailers of wines, spirituous liquors, &c.

[\*Ante, ch. 557.]

The additional 50 per cent. to be charged, paid, &c. as already provided by the acts mentioned, &c.

[†Ante, ch. 678.]

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Persons to whom licenses have been granted, &c. to make application, and pay the proportion of the 50 per cent. &c. [*Ante*, ch. 567.]

Persons dealing without having paid, &c. forfeit 150 dolls. additional, &c.

Provide; persons to whom licenses have been granted, and who have paid or given bond, and discontinue the use of the privileges before the commencement of this act, the licenses to cease, &c. and the persons to pay a sum proportionate, &c. [*Ante*, ch. 567.]

The act making further provision for the collection of internal duties, &c. so be applied for collecting, &c. the duties laid by this act, except, &c. [*Ante*, ch. 584.]

The act laying duties on sales at auction, regulating the post office, laying duties on licenses to retailers, &c. to continue to be

for charging, paying, and collecting, the original duties on the said licenses, respectively, to which the said sum of fifty per centum is hereby added and attached. And in case any license for carrying on the business of selling by retail, shall have been granted under the said act "laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise,"\* for a period extending beyond the first day of February next, the person to whom the same may have been granted, or transferred, shall, previous to the first day of May thereafter, make the like application required therein, which shall further specify such period, and shall pay to the proper collector a sum equal to such proportion of fifty per centum on the original duty imposed on such license, as said period bears to a year, the payment of which sum shall be endorsed on the license previously granted. And if any person shall, after the last mentioned day, deal in the selling of wines, distilled spirituous liquors, or merchandise, by retail, as defined in the said act, without having made such payment, such person shall, in addition to the payment of the additional duty hereby imposed, forfeit and pay the sum of one hundred and fifty dollars, to be recovered with cost of suit: *Provided*, That if any person to whom a license shall have been granted, according to the provisions of the act, entitled "An act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise,"† and who shall have paid for the same, or shall have given bond for the payment of the same, shall, on or before the commencement of the operation of this act, discontinue the use of the privileges by said license granted, and shall give due notice thereof, to the collector of the internal revenues of the district in which such license shall have been granted, such license shall cease to be of force, and such person shall be holden to pay a sum proportionate to the time which shall have run from the time of granting said license to the first day of February next. And in case of actual payment for a term subsequent to the last mentioned day, shall be entitled to receive back, from the treasury of the United States, such sum so paid for such subsequent time, from the day last mentioned.

SECT. 4. *And be it further enacted*, That the act of congress, entitled "An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors,"‡ passed on the second day of August, in the year one thousand eight hundred and thirteen, shall be and remain in force, and shall, in all its provisions, be applied for the purpose of laying, collecting, and securing, the duties by this act added or imposed, except as regards the rates of postage, as well with respect to the persons respectively liable to the payment thereof, as with respect to the officers employed in collecting and accounting for the same.

SECT. 5. *And be it further enacted*, That, towards establishing an adequate revenue to provide for the payment of the expenses of government, for the punctual payment of the public debt, principal and interest, contracted and to be contracted, according to the terms of the contracts, respectively, and for

creating an adequate sinking fund, gradually to reduce, and eventually to extinguish, the public debt, contracted and to be contracted; the internal rates and duties added, laid and imposed by this act, and the internal rates and duties laid and imposed by the said several acts of congress, entitled, respectively, "An act laying duties on sales at auction of merchandise, and ships and vessels;"\* "An act regulating the post office establishment;"† and "An act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise;"‡ shall continue to be laid, levied, and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished, any thing in the said acts of congress, to the contrary thereof, in any wise, notwithstanding. And for the effectual application of the revenue, to be raised by and from the said internal duties, to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged: *Provided always*, That whenever congress shall deem it expedient to alter, reduce, or change, the said internal duties, or any or either of them, it shall be lawful so to do, upon providing and substituting, by law, at the same time, and for the same purposes, other duties which shall be equally productive with the duties so altered, reduced, or changed: *And provided further*, That nothing in this act contained, shall be deemed or construed in any wise to rescind or impair any specific appropriation of the said duties, or any or either of them, heretofore made by law; but such appropriation shall remain and be carried into effect, according to the true intent and meaning of the law and laws making the same, any thing in this act to the contrary thereof, in any wise, notwithstanding.

[*Approved, December 23, 1814.*]

CHAP. 699. An act supplemental to the acts authorizing a loan for the several sums of twenty-five millions of dollars and three millions of dollars.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to cause treasury notes to be prepared, signed, and issued, for and in lieu of so much of the sum authorized to be borrowed on the credit of the United States, by the act of congress, entitled "An act to authorize a loan for a sum not exceeding twenty-five millions of dollars,"§ passed on the twenty-fourth day of March, in the year one thousand eight hundred and fourteen, and also for and in lieu of so much of the sum authorized to be borrowed, on the credit of the United States, by the act of congress, entitled "An act authorizing a loan for the sum of three millions of dollars,"|| passed on the fifteenth day of November, in the year one thousand eight hundred and fourteen, as has not been borrowed, or otherwise employed in the issue of treasury notes, according to law: *Provided always*, That the whole amount of

1814.

levied, &c. until the public debt be paid, &c.

[\*Ante, ch. 554.]

[†Ante, ch. 382.]

[‡Ante, ch. 567.]

The faith of the United States pledged for the effectual application of the revenues, &c. *Provido*; congress may substitute other duties, &c.

*Provido*; nothing in this act to impair any specific appropriation of the duties heretofore made, &c.

The secretary of the treasury authorized to cause treasury notes to be issued for any part of the loans of \$2 and 3 millions of dolls. not already borrowed, &c. [§Ante, ch. 617.]

[||Ante, ch. 696.]

*Provido*; the amount of treasury notes



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Issued by virtue of this act, not to exceed 7,000,000 dolls. &c.

treasury notes issued by virtue of this act, for and in lieu of the residue of the said two sums as aforesaid, shall not exceed the sum of seven millions five hundred thousand dollars: and further, that the treasury notes so issued, shall be applied to the same uses to which the said two loans, authorized as aforesaid, were, respectively, by law made applicable.

The secretary to cause treasury notes to be issued for a further sum of 3,000,000 of dolls. &c.

SECT. 2. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to cause treasury notes to be prepared, signed, and issued, for a further sum of three millions of dollars, to defray the expenses of the war department, for the year one thousand eight hundred and fourteen, in addition to the sums heretofore appropriated by law for those purposes, respectively.

The treasury notes issued by virtue of this act, to be prepared, &c. as treasury notes issued under the act of 4th March, 1814, and the secretary of the treasury vested with like powers as by that act, &c.

SECT. 3. *And be it further enacted*, That the treasury notes to be issued by virtue of this act, shall be prepared, signed, and issued, in the like form and manner; shall be reimbursable at the same places, and in the like periods; shall bear the same rate of interest; shall, in the like manner, be transferable; and shall be equally receiveable in payments to the United States for duties, taxes, and sales of public lands, as the treasury notes issued by virtue of the act of congress, entitled "An act to authorize the issuing of treasury notes for the service of the year one thousand eight hundred and fourteen,"\* passed on the fourth day of March, in the year aforesaid. And the secretary of the treasury, with the approbation of the president of the United States, shall have the like powers, in all respects, to prepare, issue, sell, pay, and distribute, the treasury notes authorized to be issued by this act, or to borrow money on the pledge thereof, and to employ and pay an agent or agents for the purpose of making sale thereof, as were vested in him by the said last mentioned act of congress, in relation to the treasury notes therein and thereby authorized to be issued; and the forms and course of proceeding, in all respects, for paying, receiving, and accounting for, the treasury notes issued by virtue of this act, shall be similar to those prescribed in and by the said last mentioned act of congress, in relation to the treasury notes therein and thereby authorized to be issued.

[\* Ante, ch. 606.]

Appropriation and pledge for the reimbursement of the treasury notes, &c.

SECT. 4. *And be it further enacted*, That a sum, equal to the whole amount of the treasury notes issued by virtue of this act, to be paid out of any money in the treasury, not otherwise appropriated, shall be, and the same is hereby appropriated for the payment and reimbursement of the principal and interest of such treasury notes, according to contract; and the faith of the United States is hereby pledged to provide adequate funds for any deficiency in the appropriation hereby made.

40,000 dolls. appropriated for defraying expenses incident to the issuing of the treasury notes.

SECT. 5. *And be it further enacted*, That a sum of forty thousand dollars, to be paid out of any money in the treasury, not otherwise appropriated, be, and the same is hereby, appropriated for defraying the expense of preparing, printing, engraving, and signing, the said treasury notes; the expense of employing agents to make sale thereof; and all other expenses incident to issuing the treasury notes, as authorized by this act.

**SECT. 6.** *And be it further enacted,* That if any person shall, with intent to injure or defraud the United States, or any person or corporation, falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any note, in imitation of, or<sup>a</sup> purporting to be, a treasury note, or shall falsely alter, or cause or procure to be falsely altered, or wilfully aid or assist in falsely altering, any treasury note, issued by virtue of this act, or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited, note, purporting to be a treasury note as aforesaid, knowing the same to be falsely made, forged, or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered treasury note, issued as aforesaid, knowing the same to be falsely altered; every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned for a period not less than three years, nor more than ten years, or imprisoned and kept to hard labor for a period not less than three years, nor more than ten years, and, in either case, be fined in a sum not exceeding five thousand dollars. [*Approved, December 26, 1814.*]

1814-15.  
Imprisonment,  
&c. and fine for  
falsely making,  
forging, utter-  
ing, &c. treasury  
notes issued  
by virtue of this  
act, &c.

**CHAP. 700.** An act giving further time to locate certain claims to lands confirmed by an act of congress, entitled "An act confirming certain claims to lands in the district of Vincennes."<sup>a</sup>

[<sup>a</sup> See orig. act,  
of 15th Feb.  
1813; ante, chap.  
488.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the several persons, whose claims were confirmed by the act of congress, entitled "An act confirming certain claims to lands in the district of Vincennes,"<sup>†</sup> approved the thirteenth day of February, one thousand eight hundred and thirteen, and which have not been located, are hereby authorized to enter their locations with the register of the land office at Vincennes, on any part of the tract set apart for that purpose in said district, by virtue of an act, entitled "An act respecting claims to lands in the Indiana Territory, and state of Ohio,"<sup>‡</sup> and in conformity to the provisions of that act; and shall be entitled to receive their certificates and patents in the manner provided by the first mentioned act: *Provided,* That such locations shall be made prior to the first day of July next.

Persons whose  
claims were  
confirmed, &c.  
authorized to  
enter their loca-  
tions with the  
register of the  
land office at  
Vincennes, on  
the tract set  
apart, &c.  
[<sup>a</sup> Ante, ch. 488.]

[<sup>†</sup> Ante, ch. 40.]

Provided; the lo-  
cations to be  
made prior to  
1st July, 1816.

[*Approved, December 26, 1814.*]

**CHAP. 701.** An act for the relief of John C. Hurlburt, of Chatham, in the state of Connecticut.<sup>§</sup>

[<sup>§</sup> Private.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury be, and he is hereby, authorized and required to discharge from his imprisonment John C. Hurlburt, of Chatham, in the state of Connecticut, now confined in prison at Hartford, in said state, on an execution obtained against him at the suit of the United States: *Provided, however,* That nothing

The secretary  
of the treasury  
required to dis-  
charge John C.  
Hurlburt, con-  
fined at the suit  
of the United  
States.

Provided; pro-  
sent and fu-

1815.

These property  
liable.

contained in this act shall exonerate any property which the said John C. Hurlburt now has, or hereafter may acquire, from the judgment and execution obtained against him by the United States. [Approved, January 2, 1815.]

CHAP. 702. An act to provide for leasing certain lands reserved for the support of schools in the Mississippi territory.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the county court, in each county in the Mississippi territory, shall be, and is hereby, authorized to appoint a number of agents, not exceeding five, who shall have power to let out, on lease, for the purpose of improving the same, the sections of land reserved by congress for the support of schools, lying within the county for which the agents, respectively, are appointed, or to let them out at an annual rent, as they shall judge proper; and it shall be the duty of the said agents, under the direction of the county courts, respectively, to apply with impartiality the proceeds arising from the rents of each section, as aforesaid, to the purpose of education, and to no other use whatsoever, within the particular township of six miles square, or fractional township, wherein such section is situated, in such manner, that all the citizens residing therein may partake of the benefit thereof, according to the true intent of the reservation made by congress.

The county court in each county in the Mississippi territory, authorized to appoint not exceeding five agents, who are empowered to lease the sections of land reserved for the support of schools, &c. Proceeds of the rents to be applied to the purpose of education, so that all the citizens may partake, &c.

The agents may lay the sections off into lots, of not less than 100, nor more than 320, acres; except, &c.

The lessee to be bound not to commit waste, &c.

SECT. 2. *And be it further enacted, That*, for the purpose of forming the aforesaid sections into convenient farms, the said agents shall have power to lay off the same into lots of not less than one hundred and six acres, nor more than three hundred and twenty acres, except in case of fractional sections; and in every case, whether of leases for the improvement of the lots, or for an annual rent, the lessee shall be bound, in a suitable penalty, not to commit waste on the premises, by destroying of timber or removing of stone, or any other injury to the lands whatever.

The agents empowered to remove persons who have not taken a lease, &c. Inquire into any waste, &c.

SECT. 3. *And be it further enacted, That* the said agents shall have full power, within their respective counties, when and so often as they think proper, by legal process, to remove any person or persons from the possession of any of the aforesaid reserved sections, when such person or persons have not taken a lease, and refuse or neglect to take the same; and it shall, moreover, be the duty of the said agents to inspect and inquire into any waste or trespass committed on any of the reserved sections aforesaid, by cutting and carrying off timber or stone, or any other damage that may be done to the same, whether by persons residing thereon or others; and the said agents are hereby authorized, when waste or trespass shall be committed, to proceed against the person or persons committing the same, according to the laws in such case made and provided; and actions in the cases aforesaid shall be sustained by the agents;

The agents authorized to proceed against persons committing waste or trespass, &c.

and the damages recovered shall be one-half to the use of such agents, and the other half to be applied to the same purpose as the proceeds of rents from the land on which the damage was sustained. 1815.

One-half the damages recovered, to the use of the agents, &c.

SECT. 4. *And be it further enacted*, That, for each lease executed by the agents, they shall be entitled to receive the sum of two dollars, to be paid by the lessees, respectively. 2 dolls. to the agents, for each lease, &c.

SECT. 5. *And be it further enacted*, That every lease which may be granted in virtue of this act, shall be limited to the period of the termination of the territorial form of government in the said territory; and shall cease to have any force or effect after the first day of January next succeeding the establishment of a state government therein: *Provided*, That outstanding rents may be collected, and damages for waste or trespass may be recovered, in the same manner as if the leases had continued in full force. *[Approved, January 9, 1815.]*

Leases limited to the territorial form of government, &c.

Proviso; outstanding rents may be collected, &c. as if the leases had continued, &c.

CHAP. 703. An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying a direct tax upon the United States, and to provide for assessing and collecting the same.\*

[\* See amendatory act, of 3d March, 1815; ch. 772, post.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That a direct tax of six millions of dollars be, and is hereby, annually laid upon the United States, and the same shall be, and is hereby, apportioned to the states, respectively, in manner following:

A direct tax of 6 000,000 dolls. annually, laid, and apportioned to the states.

To the state of New Hampshire, one hundred and ninety-three thousand five hundred and eighty-six dollars and seventy-four cents.

New Hampshire.

To the state of Massachusetts, six hundred and thirty-two thousand five hundred and forty-one dollars and ninety-six cents.

Massachusetts.

To the state of Rhode Island, sixty-nine thousand four hundred and four dollars and thirty-six cents.

Rhode Island.

To the state of Connecticut, two hundred and thirty-six thousand three hundred and thirty-five dollars and forty-two cents.

Connecticut.

To the state of Vermont, one hundred and ninety-six thousand six hundred and eighty-seven dollars and forty-two cents.

Vermont.

To the state of New York, eight hundred and sixty thousand two hundred and eighty-three dollars and twenty-four cents.

New York.

To the state of New Jersey, two hundred and seventeen thousand seven hundred and forty-three dollars and sixty-six cents.

New Jersey.

To the state of Pennsylvania, seven hundred and thirty thousand nine hundred and fifty-eight dollars and thirty-two cents.

Pennsylvania.

To the state of Delaware, sixty-four thousand ninety-two dollars and fifty cents.

Delaware.

To the state of Maryland, three hundred and three thousand two hundred and forty-seven dollars and eighty-eight cents.

Maryland.

To the state of Virginia, seven hundred and thirty-eight thousand thirty-six dollars and eighty-eight cents.

Virginia.

**1815.** To the state of Kentucky, three hundred and thirty-seven thousand eight hundred and fifty-seven dollars and fifty-two cents.

**Ohio.** To the state of Ohio, two hundred and eight thousand three hundred dollars and twenty-eight cents.

**North Carolina.** To the state of North Carolina, four hundred and forty thousand four hundred and seventy-six dollars and fifty-six cents.

**Tennessee.** To the state of Tennessee, two hundred and twenty thousand one hundred and seventy-three dollars and ten cents.

**South Carolina.** To the state of South Carolina, three hundred and three thousand eight hundred and ten dollars and ninety-six cents.

**Georgia.** To the state of Georgia, one hundred and eighty-nine thousand eight hundred and seventy-two dollars and ninety-eight cents; and

**Louisiana.** To the state of Louisiana, fifty-six thousand five hundred and ninety dollars and twenty-two cents.

After the 6th Jan. 1815, the act for the assessment and collection of direct taxes, &c. of 23d July, 1813, repealed, except, &c. [*Amie, ch. 644.*]

Proviso; the act repealed to continue in full force for the completion of the assessment and collection of the direct tax laid by the act of the 2d Aug. 1813.

Principal assessors to divide their districts, and appoint assistants, &c.

Proviso; the secretary of the treasury may reduce the number of districts, if, &c.

Assessors to take and subscribe an oath, &c.

Form of the oath.

**SECT. 2.** *And be it further enacted,* That, from and after the passing of this act, the act of congress, entitled "An act for the assessment and collection of direct taxes and internal duties,"\* passed on the twenty-second day of July, one thousand eight hundred and thirteen, shall be, and the same is hereby, repealed, except so far as the same respects the collection districts therein and thereby established and defined, so far as the same respects internal duties, and so far as the same respects the appointment and qualifications of the collectors and principal assessors therein and thereby authorized and required; in all which respects, so excepted, as aforesaid, the said act shall be and continue in force for the purposes of this act: *Provided always,* That, for making and completing the assessment and collection of the direct tax laid by virtue of the act of congress, entitled "An act to lay and collect a direct tax within the United States," passed on the second day of August, one thousand eight hundred and thirteen, the said first mentioned act of congress shall be and continue in full force, any thing in this act to the contrary thereof in any wise notwithstanding.

**SECT. 3.** *And be it further enacted,* That each of the principal assessors heretofore appointed, or hereafter appointed, shall divide his district into a convenient number of assessment districts, within each of which he shall appoint one respectable freeholder, to be assistant assessor: *Provided,* That the secretary of the treasury shall be, and is hereby, authorized to reduce the number of assessment districts, in any collection district, in any state, if the number shall appear to him to be too great; and the principal assessors, respectively, and each assistant assessor, so appointed, and accepting the appointment, shall, before he enters on the duty of his appointment under this act, take and subscribe, before some competent magistrate, or some collector of the direct tax and internal duties, (who is hereby empowered to administer the same) the following oath or affirmation, to wit: "*I, ——— do swear, or affirm, (as the case may be,) that I will, to the best of my knowledge, skill, and judgment, diligently and faithfully execute the office and duties of principal assessor (or assistant as-*

essor, as the case may be,) for (naming the district) without 1815.  
*favor or partiality, and that I will do equal right and justice in every case in which I shall act as principal assessor (or assistant*

*assessor, as the case may be.")* And a certificate of such oath or affirmation shall be delivered to the collector of the district for which such assessor shall be appointed, and every principal or assistant assessor acting in the said office, without having taken the said oath or affirmation, shall forfeit and pay one hundred dollars, one moiety to the use of the United States, and the other to him who shall first sue for the same; to be recovered, with costs of suit, in any court having competent jurisdiction.

A certificate of the oath to be delivered to the collector of the district.

Assessors acting without oath, to forfeit 100 dols.

SECT. 4. *And be it further enacted,* That the secretary of the treasury shall establish regulations suitable and necessary for carrying this act into effect; which regulations shall be binding on each principal assessor and his assistants, in the performance of the duties enjoined by or under this act; and shall also frame instructions for the said principal assessors and their assistants; pursuant to which instructions the said principal assessors shall, on the first day of February next, direct and cause the several assistant assessors in the district to inquire after and concerning all lands, lots of ground, with their improvements, dwelling houses, and slaves, made liable to taxation under this act, by reference as well to any lists of assessment or collection taken under the laws of the respective states, as to any other records or documents, and by all other lawful ways and means, and to value and enumerate the said objects of taxation, in the manner prescribed by this act, and in conformity with the regulations and instructions abovementioned. And it shall be further lawful for the secretary of the treasury to direct all errors committed in the assessment, valuation, and tax lists, or in the collection thereof, heretofore or hereafter made in the valuation, assessment, and tax lists, of the direct tax, laid by virtue of the said act of congress, entitled "An act to lay and collect a direct tax within the United States,"\* and also, all such errors as may, from time to time, be committed in the assessment, valuation, and tax lists, or in the collection thereof, as may hereafter be made in the assessment of the direct tax by this act laid, to be corrected, in such form, and upon such evidence, as the said secretary shall prescribe and approve.

The secretary of the treasury to establish regulations and frame instructions for the assessors, &c.

The principal assessors to cause the assistants, on the 1st Feb. 1815, to inquire after lands, slaves, &c. liable to taxation, &c.

The secretary of the treasury to direct all errors in the assessment, valuation, &c. to be corrected, &c.

(\*Ante, ch. 566.)

SECT. 5. *And be it further enacted,* That the said direct tax, laid by this act, shall be assessed and laid on the value of all lands and lots of ground, with their improvements, dwelling houses, and slaves; which several articles, subject to taxation, shall be enumerated and valued by the respective assessors at the rate each of them is worth in money: *Provided, however,* That all property, of whatever kind, coming within any of the foregoing descriptions, and belonging to the United States, or any state, or permanently or specially exempted from taxation by the laws of the state wherein the same may be situated, existing at the time of the passage of this act, shall be exempted from the aforesaid enumeration and valuation, and from the direct tax aforesaid: *And provided also,* That nothing herein con-

The tax to be assessed and laid on the value of all lands, &c. according to the rate they are worth in money.

proviso; property of the United States, or of any state, &c. exempted, &c.

proviso; nothing herein to exempt

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public lands sold  
in Ohio and  
Louisiana, &c.

tained shall be construed to exempt from enumeration and valuation, and the payment of the direct tax, any public lands which heretofore have been, or hereafter may be, sold in the states of Ohio and Louisiana, under any law of the United States, the compact between the United States and the said states to the contrary notwithstanding.

Assistant assess-  
ors to proceed  
through their  
districts, and  
require persons  
owning, &c.  
lands, slaves,  
&c. to deliver  
written lists,  
&c.

SECT. 6. *And be it further enacted*, That the respective assistant assessors shall, immediately after being required, as aforesaid, by the principal assessors, proceed through every part of their respective districts, and shall require all persons owning, possessing, or having the care or management of, any lands, lots of ground, dwelling houses, or slaves, lying and being within the collection district where they reside, and liable to a direct tax as aforesaid, to deliver written lists of the same, which lists shall be made in such manner as may be directed by the principal assessor, and, as far as practicable, conformably to those which may be required for the same purpose under the authority of the respective states: *Provided always, nevertheless, and it is hereby further enacted and declared*, That the valuations and assessments heretofore made and completed, or to be made and completed, by virtue of the said act of congress, entitled "An

Proviso; the va-  
luations, &c.  
heretofore made,  
to remain, &c.  
subject only to  
revision, &c.

[\* Ante, ch. 844.]

[† Ante, ch. 808.]

act for the assessment and collection of direct taxes and internal duties,"\* and the said act of congress, entitled "An act to lay and collect a direct tax within the United States,"† in relation to the several states wherein the same has been assessed or is assessing, shall be and remain the valuations and assessments for the said states, respectively, subject only to the revision, equalization, and apportionment, among the several counties and state districts, by the board of principal assessors hereinafter constituted, to be made as is hereinafter directed, for the purpose of levying and collecting annually the direct tax by this act laid, in the manner hereinafter provided, until provision shall be made by law for altering, modifying, or abolishing, the same. And the principal assessors, in the said several states wherein a direct tax has heretofore been assessed as aforesaid, shall, at the time and times herein and hereby prescribed for making the valuation and assessment in the states wherein a direct tax has not heretofore been assessed (in consequence of the legislative assumption of the quotas of the direct tax by such states, respectively,) proceed to revise, and shall revise, their several and respective valuations, assessments, and tax lists, correcting therein all errors, and supplying all omissions, which have been or shall be therein discovered and ascertained. And in making the said revision as aforesaid, it shall be the duty of the said principal assessors to inquire and ascertain what transfers and changes of property in lands, lots of ground, dwelling houses, and slaves, have been made and effected, since the time of the original valuation and assessment aforesaid; and also what changes of residents and nonresidents have occurred; and also what slaves have been born, or have died, or have runaway, or become otherwise useless; and also what houses, or other improvements of real estate, have been burned or otherwise destroyed; and thereupon to make

The principal  
assessors in the  
states where a  
direct tax has  
been assessed,  
&c. to proceed  
to revise, &c. at  
the time, &c.

In making the  
revision, the prin-  
cipal assessors  
are to ascertain  
what transfers  
and changes  
have taken  
place, &c.

such changes, additions, or reductions, in the said valuations and assessments, respectively, as truth and justice shall require. And, for the purpose of making the said revisal as aforesaid, of the said valuations, assessments, and tax lists, the principal assessors shall take and pursue all lawful measures, by the examination of records, by the information of the parties in writing, or by any other satisfactory evidence or proof. And, in case of any alteration made upon such revisal, affecting the property or interests of any person, so as to charge such person with any greater amount of tax, or to transfer the charge of the tax from one person to another person, there shall be the like proceedings as is herein provided in the case of appeals upon an original assessment. And the principal assessors, after hearing such appeals, shall proceed to make out and to deliver revised lists of their valuations and assessments, respectively, to the board of principal assessors, to be constituted as is hereinafter mentioned. And thereupon, the said board of principal assessors shall proceed in the like manner as is hereinafter provided in the case of an original assessment, submitted to the said board of principal assessors, for the purpose of an equalization and apportionment of the direct tax by this act laid to and among the counties and state districts of the states, respectively.

**SECT. 7.** *And be it further enacted,* That if any person owning, possessing, or having the care or management of, property liable to a direct tax, as aforesaid, shall not be prepared to exhibit a written list when required as aforesaid, and shall consent to disclose the particulars of any and all the lands and lots of ground, with their improvements, dwelling houses, and slaves, taxable as aforesaid, then and in that case it shall be the duty of the officer to make such list, which, being distinctly read and consented to, shall be received as the list of such person.

**SECT. 8.** *And be it further enacted,* That if any such person shall deliver or disclose to any assessor appointed in pursuance of this act, and requiring a list or lists, as aforesaid, any false or fraudulent list, with intent to defeat or evade the valuation or enumeration hereby intended to be made, such person so offending, and being thereof convicted, before any court having competent jurisdiction, shall be fined in a sum not exceeding five hundred dollars, at the discretion of the court, and shall pay all costs and charges of prosecution; and the valuation and enumeration required by this act, shall, in all such cases, be made as aforesaid, upon lists according to the form above described, to be made out by the assessors, respectively, which lists the said assessors are hereby authorized and required to make, according to the best information they can obtain; and for the purpose of making which they are hereby authorized to enter into and upon all and singular the premises, respectively, and from the valuation and enumeration so made there shall be no appeal.

**SECT. 9.** *And be it further enacted,* That, in case any person shall be absent from his place of residence at the time an assessor shall call to receive the list of such person, it shall be the duty of such assessor to leave, at the house or place of residence of

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Proceedings, as in case of appeals, &c. where the alteration charges a person with a greater amount, &c.

Principal assessors, after hearing appeals, to proceed, &c.

The board of principal assessors to proceed as provided, &c.

Persons not prepared to exhibit a written list, and consenting to disclose particulars, the officer is to make the list, &c.

Persons delivering fraudulent lists, &c. liable to fine, &c.

In case of fraudulent lists, &c. the assessors to make out lists according to the best information, &c.

In case persons are absent, the assessor is to leave a written



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note, requiring  
the list within  
10 days, &c.

Persons notified, and neglecting to furnish lists, the assessor is to enter on the premises, and make a list on view, &c.

Persons failing or neglecting to furnish lists, forfeit 100 dollars, &c.

Property in a district, not owned or possessed by a person residing therein, &c., the assessor is to enter, and make out lists upon view, &c.

Owners of lands, &c., not in the district where they reside, permitted to make out and deliver the list, &c., to the assessor where they dwell, &c.

Assistant assessors to transmit the lists of nonresidents, &c.

such person, a written note or memorandum, requiring him to present to such assessor the list or lists required by this act, within ten days from the date of such note or memorandum.

SECT. 10. *And be it further enacted*, That if any person, on being notified or required as aforesaid, shall refuse or neglect to give such list or lists as aforesaid, within the time required by this act, it shall be the duty of the assessor for the assessment district within which such person shall reside, and he is hereby authorized and required, to enter into and upon the lands, dwelling houses, and premises, if it be necessary, of such persons so refusing or neglecting, and to make, according to the best information which he can obtain, and on his own view and information, such lists of the lands and lots of ground, with their improvements, dwelling houses, and slaves, owned or possessed, or under the care or management of such person, as are required by this act; which lists, so made and subscribed by such assessor, shall be taken and reputed as good and sufficient lists of the persons and property for which such person is to be taxed for the purposes of this act: and the person so failing or neglecting, unless in case of sickness or absence from home, shall, moreover, forfeit and pay the sum of one hundred dollars, to be recovered, for the use of the United States, with costs of suit, in any court having competent jurisdiction.

SECT. 11. *And be it further enacted*, That whenever there shall be, in any assessment district, any property, lands, and lots of ground, dwelling houses or slaves, not owned or possessed by, or under, the care or management of, any person or persons within such district, and liable to be taxed as aforesaid, and no list of which shall be transmitted to the principal assessor in the manner provided by this act, it shall be the duty of the assessor for such district, and he is hereby authorized and required, to enter into and upon the real estate, if it be necessary, and take such view thereof, and of the slaves, of which lists are required, and to make lists of the same, according to the form prescribed by this act, which lists, being subscribed by the said assessor, shall be taken and reputed as good and sufficient lists of such property, under and for the purposes of this act.

SECT. 12. *And be it further enacted*, That the owners, possessors, or persons, having the care or management of lands, lots of ground, dwelling houses, and slaves, not lying or being within the assessment district in which they reside, shall be permitted to make out and deliver the list thereof required by this act, (provided the assessment district in which the said objects of taxation lie, or be, is therein distinctly stated,) at the time and in the manner prescribed, to the assessor of the assessment district wherein such persons reside. And it shall be the duty of the assistant assessors, in all such cases, to transmit such lists, at the time and in the manner prescribed for the transmission of the lists of the objects of taxation lying and being within their respective assessment districts, to the principal assessor of their collection district, whose duty it shall be to transmit them to the principal assessor of the collection district wherein the said ob-

jects of taxation shall lie or be, immediately after the receipt thereof, and the said lists shall be valid and sufficient for the purposes of this act; and on the delivery of every such list, the person making and delivering the same shall pay to the assistant assessor one dollar; one-half whereof he shall retain to his own use, and the other half thereof he shall pay over to the principal assessor of the district, for the use of such principal assessor.

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One dollar to the assistant assessor for every list of non-residents' property, &c.

The assistant assessors to make two general lists, &c.

The first list to exhibit the names of persons resident, &c.

The second list to exhibit the names of persons not resident, &c.

The forms of general lists to be prescribed by the principal assessor, &c.

Assistant assessors failing to perform any duty assigned, &c. not being prevented, &c. to be discharged, and forfeit 200 doll. &c.

SECT. 13. *And be it further enacted*, That the lists aforesaid shall be taken with reference to the day fixed for that purpose by this act as aforesaid; and the assistant assessors, respectively, after collecting the said lists, shall proceed to arrange the same, and to make two general lists, the first of which shall exhibit, in alphabetical order, the names of all persons liable to pay a tax under this act, residing within the assessment district, together with the value and assessment of the objects, liable to taxation within such district, for which each such person is liable, and, whenever so required by the principal assessor, the amount of direct tax payable by each person, on such objects, under the state laws imposing direct taxes; and the second list shall exhibit, in alphabetical order, the names of all persons residing out of the collection district, owners of property within the district, together with the value and assessment thereof, or the amount of direct tax due thereon, as aforesaid. The forms of the said general lists shall be devised and prescribed by the principal assessor; and lists taken according to such form shall be made out by the assistant assessors, and delivered to the principal assessor, within sixty days after the day fixed by this act, as aforesaid, requiring lists from individuals: And if any assistant assessor shall fail to perform any duty assigned by this act, within the time prescribed by his precept, warrant, or other legal instructions, not being prevented therefrom by sickness, or other unavoidable accident, every such assessor shall be discharged from office; and shall, moreover, forfeit and pay two hundred dollars, to be recovered, for the use of the United States, in any court having competent jurisdiction, with cost of suit.

After the valuation, &c. have been completed, the principal assessor in each district to advertise the place where the lists may be examined, &c.

25 days allowed for receiving appeals, &c.

Proceedings of assessors to be submitted for inspection for 20 days, &c. and principal assessors

SECT. 14. *And be it further enacted*, That, immediately after the valuations and enumerations shall have been completed, as aforesaid, the principal assessor in each collection district, shall, by advertisement in some public newspaper, if any there be in such district, and by written notifications, to be publickly posted up, in at least four of the most public places in each assessment district, advertise all persons concerned, of the place where the said lists, valuations, and enumerations, may be seen and examined, and that, during twenty-five days after the publication of the notifications as aforesaid, appeals will be received and determined by him, relative to any erroneous or excessive valuations or enumerations by the assessor. And it shall be the duty of the principal assessor in each collection district, during twenty-five days after the date of publication, to be made as aforesaid, to submit the proceedings of the assessors, and the lists by them received, or taken as aforesaid, to the inspection

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also hear and determine appeals, &c.

Proviso: principal assessors to attend two successive days at the courthouse, &c.

Proviso: the question to be determined on appeal, &c.

Appeals to be in writing and to specify, &c.

The principal assessor empowered to re-examine and equalize valuations; but no increase without a previous notice to the party, &c.

When a county or state district contains more than one assessment district, the principal assessor is empowered to equalize, &c.

Principal assessors, after deciding appeals, to make out lists, and deliver them to the board of principal assessors, &c.

The principal assessors in each state to convene in general meeting, &c. A board of principal assessors, &c.

The board of principal assessors may

of any and all persons who shall apply for that purpose; and the said principal assessors are hereby authorized to receive, hear, and determine, in a summary way, according to law and right, upon any and all appeals which may be exhibited against the proceedings of the said assessors: *Provided always*, That it shall be the duty of said principal assessors to advertise and attend two successive days of the said twenty-five, at the courthouse of each county within his assessment district, there to receive and determine upon the appeals aforesaid: *And provided always*, That the question to be determined by the principal assessor, on an appeal respecting the valuation of property, shall be, whether the valuation complained of, be or be not, in a just relation or proportion to other valuations in the same assessment district. And all appeals to the principal assessors, as aforesaid, shall be made in writing, and shall specify the particular cause, matter, or thing, respecting which a decision is requested, and shall, moreover, state the ground or principle of inequality or error complained of. And the principal assessor shall have power to re-examine and equalize the valuations, as shall appear just and equitable; but no valuation shall be increased, without a previous notice of at least five days to the party interested, to appear and object to the same, if he judge proper; which notice shall be given by a note in writing, to be left at the dwelling house of the party, by such assessor as the principal assessor shall designate for that purpose.

SECT. 15. *And be it further enacted*, That whenever a county or state district shall contain more than one assessment district, the principal assessor shall have power, on examination of the lists rendered by the assistant assessors, according to the provisions of this act, to revise, adjust, and equalize, the valuation of lands and lots of ground, with their improvements, dwelling houses, and slaves, between such assessment districts, by deducting from, or adding to, either, such a rate per centum as shall appear just and equitable.

SECT. 16. *And be it further enacted*, That the principal assessors shall, immediately after the expiration of the time for hearing and deciding appeals, make out correct lists of the valuation and enumeration in each assessment district, and deliver the same to the board of principal assessors hereinafter constituted, in and for the states, respectively. And it shall be the duty of the principal assessors, in each state, to convene, in general meeting, at such time and place as shall be appointed and directed by the secretary of the treasury. And the said principal assessors, or a majority of them, so convened, shall constitute, and they are hereby constituted, a board of principal assessors for the purposes of this act, and shall make and establish such rules and regulations, as to them shall appear necessary for carrying such purposes into effect, not being inconsistent with this act, or the laws of the United States.

SECT. 17. *And be it further enacted*, That the said board of principal assessors, convened and organized as aforesaid, shall and may appoint a suitable person or persons, to be their clerk

or clerks, who shall hold his or their office, or offices, at the pleasure of the said board of principal assessors, and whose duty it shall be to receive, record, and preserve, all tax lists, returns, and other documents, delivered and made to the said board of principal assessors, and who shall take an oath, or affirmation, (if conscientiously scrupulous of taking an oath,) *faithfully to discharge his or their trust*; and in default of taking such oath or affirmation, previous to entering on the duties of such appointment; or on failure to perform any part of the duties enjoined on him or them, respectively, by this act, he or they shall, respectively, forfeit and pay the sum of two hundred dollars, for the use of the United States, to be recovered in any court having competent jurisdiction, and shall also be removed from office.

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appoint clerks to record, &c.

Clerks to take an oath, &c.

In default of oath, or failure in duty, a clerk forfeits 200 dolls. and to be removed, &c.

SECT. 18. *And be it further enacted*, That it shall be the duty of the said clerks to record the proceedings of the said board of principal assessors, and to enter on the record the names of such of the principal assessors as shall attend any general meeting of the board of principal assessors for the purposes of this act. And if any principal assessor shall fail to attend such general meeting, his absence shall be noted on the said record, and he shall, for every day he may be absent therefrom, forfeit and pay the sum of ten dollars, for the use of the United States. And if any principal assessor shall fail or neglect to furnish the said board of principal assessors, with the lists of valuation and enumeration of each assessment district within his collection district, within three days after the time appointed, as aforesaid, for such general meeting of the said board of principal assessors, he shall forfeit and pay the sum of five hundred dollars, for the use of the United States, and moreover shall forfeit his compensation as principal assessor. And it shall be the duty of the clerks of the said board of principal assessors to certify, to the secretary of the treasury, an extract of the minutes of the board, showing such failures or neglect, which shall be sufficient evidence of the forfeiture of such compensation, to all intents and purposes: *Provided always*, That it shall be in the power of the secretary of the treasury to exonerate such principal assessor or assessors from the forfeiture of the said compensation, in whole or in part, as to him shall appear just and equitable.

The clerks to record the proceedings of the board, &c.

A principal assessor forfeits 10 dolls. for every day's absence.

Any principal assessor failing or neglecting to furnish the board with lists, &c. to forfeit 500 dolls. and his compensation, &c.

The clerks of the board to certify an extract of the minutes to the secretary of the treasury, &c.

Provido; the secretary of the treasury may exonerate principal assessors from forfeiture of their compensations, &c.

SECT. 19. *And be it further enacted*, That if the said board of principal assessors shall not, within three days after the first meeting thereof, as aforesaid, be furnished with all the lists of valuation of the several counties and state districts of any state or states, they shall, nevertheless, proceed to make out the equalization and apportionment by this act directed, and they shall assign to such counties and state districts, the valuation lists of which shall not have been furnished, such valuation as they shall deem just and right, and the valuation thus made to such counties and state districts, by the board of principal assessors, shall be final, and the proper quota of direct tax shall be, and is hereby declared to be, imposed thereon accordingly.

If the board of principal assessors are not, within three days, &c. furnished with all the lists, &c. they are, nevertheless, to proceed, &c.

SECT. 20. *And be it further enacted*, That it shall be the duty of the said board of principal assessors, diligently and carefully

The board of principal assessors are carefully

1815. to consider and examine the said lists of valuation, as well in

to consider and  
examine the  
lists, &c. and to  
adjust and equal-  
ize, &c.

Proviso; the re-  
lative valuation  
of property in  
the same county  
not to be chang-  
ed, unless, &c.

If, by any alter-  
ation, inequality  
is produced, the  
secretary of the  
treasury to re-  
port to congress,  
&c.

The board, &c.  
having complet-  
ed the adjust-  
ment, &c. to  
proceed to ap-  
portion the tax,  
&c.

The board to  
complete the  
apportionment  
within 20 days,  
&c.

Apportionment  
to be certified,  
&c.

Principal assess-  
ors to revise  
their lists, &c.

Principal assess-  
ors to make out  
lists of sums  
payable, &c.

The lists to con-  
tain the name of  
each person, &c.

A separate list  
of property,  
where the own-  
er, &c. is not  
resident, &c.

relation to the states which have been heretofore assessed, as in relation to the states which have not been heretofore assessed, for the direct tax for the year one thousand eight hundred and fourteen, and they shall have power to revise, adjust, and equalize, the valuation of property in any county or state district, by adding thereto, or deducting therefrom, such a rate per centum as shall render the valuation of the several counties and state districts just and equitable: *Provided*, The relative valuation of property in the same county shall not be changed, unless manifest error or imperfection shall appear in any of the lists of valuation, in which case the said board of principal assessors shall have power to correct the same, as to them shall appear just and right. And if, in consequence of any revisal, change, and alteration, of the said valuation, any inequality shall be produced in the apportionment of the said direct tax to the several states, as aforesaid, it shall be the duty of the secretary of the treasury to report the same to congress, to the intent that provision may be made by law for rectifying such inequality.

SECT. 21. *And be it further enacted*, That, as soon as the said board of principal assessors shall have completed the adjustment and equalization of the valuation aforesaid, they shall proceed to apportion to each county and state district its proper quota of direct tax, and they shall lay the same upon all the subjects of direct taxation herein prescribed, within their respective counties and state districts, according to the provisions of this act, so as to raise upon each county or state district, a quota of taxes bearing the same proportion to the whole direct tax imposed on the state, as the valuation of such county or state district bears to the valuation of the state. And the said board of principal assessors shall, within twenty days after the time appointed by the secretary of the treasury for their first meeting, complete the said apportionment, and shall record the same; they shall thereupon further deliver to each principal assessor a certificate of such apportionment, together with the general lists by the principal assessors respectively presented to the board as aforesaid, and transmit to the secretary of the treasury a certificate of the apportionment by them made as aforesaid; and the principal assessors, respectively, shall thereupon proceed to revise their respective lists, and alter and make the same in all respects conformable to the apportionment aforesaid by the said board of principal assessors; and the said principal assessors, respectively, shall make out lists containing the sums payable, according to the provisions of this act, upon every object of taxation in and for each collection district; which lists shall contain the name of each person residing within the said district, owning, or having the care or superintendence of, property lying within the said district, which is liable to the said tax, when such person or persons are known, together with the sums payable by each; and where there is any property within any collection district, liable to the payment of the said tax, not owned or occupied by or under the superintendence of any person resident therein, there

shall be a separate list of such property, specifying the sum payable, and the names of the respective proprietors, where known. 1815.

And the said principal assessors shall furnish, to the collector of the several collection districts respectively, within thirty-five days after the apportionment is completed as aforesaid, a certified copy of such list or lists for their proper collection districts. And in default of performance of the duties enjoined on the board of assessors and principal assessors, respectively, by this section, they shall, severally and individually, forfeit and pay the sum of five hundred dollars, to the use of the United States, to be recovered in any court having competent jurisdiction: *And it is hereby enacted and declared*, That the valuation, assessment, equalization, and apportionment, made by the said board of principal assessors, as aforesaid, shall be and remain in full force and operation for laying, levying, and collecting, yearly and every year, the annual direct tax by this act laid and imposed, until altered, modified, or abolished, by law.

Principal assessors to furnish collectors with a certified copy of the lists, &c.

In default of duty by the board of assessors, &c. each forfeits 500 dolls. &c.

The valuation, &c. made by the board of principal assessors, to remain in force till altered, &c. by law.

SECT. 22. *And be it further enacted*, That each collector, on receiving a list as aforesaid, from the said principal assessors, respectively, shall subscribe three receipts, one of which shall be given on a full and correct copy of such list, which list shall be delivered by him to, and shall remain with, the principal assessor of his collection district, and shall be open to the inspection of any person who may apply to inspect the same, and the other two receipts shall be given on aggregate statements of the lists aforesaid, exhibiting the gross amount of taxes to be collected in each county or state district contained in the collection district, one of which aggregate statements and receipts shall be transmitted to the secretary, and the other to the comptroller, of the treasury.

Each collector, on receiving a list, to subscribe three receipts; one to remain with the principal assessor, one to be transmitted to the secretary, and one to the comptroller, of the treasury, &c.

SECT. 23. *And be it further enacted*, That each collector, before receiving any list, as aforesaid, for collection, shall give bond, with one or more good and sufficient sureties, to be approved by the comptroller of the treasury, in the amount of the taxes assessed in the collection district, for which he has been or may be appointed, which bond shall be payable to the United States, with condition for the true and faithful discharge of the duties of his office, according to law, and particularly for the due collection and payment of all moneys assessed upon such district; and the said bond shall be transmitted to, and deposited in, the office of the comptroller of the treasury: *Provided always*, That nothing herein contained shall be deemed to annul, or in any wise to impair, the obligation of the bond heretofore given by any collector; but the same shall be and remain in full force and virtue, any thing in this act to the contrary thereof, in any wise, notwithstanding.

Each collector, before, &c. to give bond, &c.

Bond to be deposited in the comptroller's office. *Provided*; nothing herein to impair the obligation of the bond heretofore given by collectors, &c.

SECT. 24. *And be it further enacted*, That the annual amount of the taxes so assessed, shall be and remain a lien upon all lands and other real estate, and all slaves, of the individuals who may be assessed for the same, during two years after the time it shall annually become due and payable; and the said lien shall extend to each and every part of all tracts or lots of land, or dwelling

The taxes to be a lien on the property for two years after they are due, &c.

1815. houses, notwithstanding the same may have been divided or alienated in part.

Collectors may appoint deputies, and revoke their powers, &c.

Each deputy to have like authority to collect, &c.

Collectors answerable for their deputies, &c.

Provided, nothing herein to prevent the collector from collecting the whole, &c.

Each collector to advertise, and post up notice, that the tax has become due and payable, &c. state the times and places at which he will attend, &c.

Persons not attending, to be applied to in person, once, &c.

If the taxes are not paid within 30 days after the time limited, the collector may proceed by distress and sale, &c. Proceedings in case of distress, &c.

SECT. 25. *And be it further enacted*, That each collector shall be authorized to appoint, by an instrument of writing under his hand and seal, as many deputies as he may think proper, assigning to each deputy, by that instrument of writing, such portion of his collection district as he may think proper, and also to revoke the powers of any deputy, giving public notice thereof in that portion of the district assigned to such deputy; and each such deputy shall have the like authority, in every respect, to collect the direct tax, so assessed within the portion of the district assigned to him, which is by this act vested in the collector himself; but each collector shall, in every respect, be responsible, both to the United States and to individuals, as the case may be, for all moneys collected, and for every act done, as deputy collector, by any of his deputies, whilst acting as such: *Provided*, That nothing herein contained shall prevent any collector from collecting, himself, the whole, or any part, of the tax so assessed, and payable in his district.

SECT. 26. *And be it further enacted*, That each of the said collectors, or his deputies, shall, within ten days after receiving his collection list from the principal assessors, respectively, as aforesaid, and, annually, within ten days after he shall be so required by the secretary of the treasury, advertise, in one newspaper printed in his collection district, if any there be, and by notifications to be posted up in at least four public places in his collection district, that the said tax has become due and payable, and state the times and places at which he or they will attend to receive the same, which shall be within twenty days after such notification; and, with respect to persons who shall not attend, according to such notifications, it shall be the duty of each collector, in person or by deputy, to apply once, at their respective dwellings, within such district, and there demand the taxes payable by such persons, which application shall be made within sixty days after the receipt of the collection lists, as aforesaid, or after the receipt of the requisition of the secretary of the treasury, as aforesaid, by the collectors; and if the said taxes shall not be then paid, or within twenty days thereafter, it shall be lawful for such collector, or his deputies, to proceed to collect the said taxes by distress and sale of the goods, chattels, or effects, of the persons delinquent, as aforesaid. And, in case of such distress, it shall be the duty of the officer charged with the collection, to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distress, shall be left with the owner or possessor of such goods, chattels, or effects, or at his or her dwelling, with a note of the sum demanded, and the time and place of sale; and the said officer shall forthwith cause a notification to be publickly posted up at two of the taverns nearest the residence of the person whose property shall be distrained, or at the courthouse of the same county, if not more than ten miles distant, which notice shall specify the articles distrained, and

the time and place proposed for the sale thereof, which time shall not be less than ten days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distress: *Provided*, That, in any case of distress, for the payment of the duties aforesaid, the goods, chattels, or effects, so distrained, shall and may be restored to the owner or possessor, if, prior to the sale thereof, payment, or tender thereof, shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expense of removing and keeping the goods, chattels, or effects, so distrained, as may be allowed in like cases by the laws or practice of the state wherein the distress shall have been made; but in case of nonpayment, or tender as aforesaid, the said officer shall proceed to sell the said goods, chattels, or effects, at public auction, and shall and may retain from the proceeds of such sale, the amount demandable for the use of the United States, with the necessary and reasonable expenses of distress and sale, and a commission of five per centum thereon, for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects, shall have been distrained: *Provided*, That it shall not be lawful to make distress of the tools or implements of a trade or profession, beasts of the plough necessary for the cultivation of improved lands, arms, or household furniture, or apparel necessary for a family.

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*Proviso; goods, &c. distrained may be restored on payment, &c. of the amount, &c. prior to the sale.*

*In case of non-payment, the officer to proceed to sell, &c.*

*Commission of 5 per cent. to the officer. Overplus to the owner of the goods, &c.*

*Proviso; not lawful to make distress of the implements of a trade, &c.*

SECT. 27. *And be it further enacted*, That whenever goods, chattels, or effects, sufficient to satisfy any tax upon dwelling houses or lands, and their improvements, owned, occupied, or superintended, by persons known or residing within the same collection district, cannot be found, the collector having first advertised the same for thirty days in a newspaper printed within the collection district, if such there be, and having posted up, in at least ten public places within the same, a notification of the intended sale, thirty days previous thereto, shall proceed to sell, at public sale, so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum to the said taxes. But in all cases where the property liable to a direct tax under this act, or the said act of congress, entitled "An act to lay and collect a direct tax within the United States,"\* shall not be divisible, so as to enable the collector, by a sale of part thereof, to raise the whole amount of the tax, with all costs, charges, and commissions, the whole of such property shall be sold, and the surplus of the proceeds of the sale, after satisfying the tax, costs, charges, and commissions, shall be paid to the owner of the property, or his legal representatives, or if he or they cannot be found, or refuse to receive the same, then such surplus shall be deposited in the treasury of the United States, to be there held for the use of the owner, or his legal representatives, until he or they shall make application therefor to the secretary of the treasury, who, upon such application, shall, by warrant on the treasurer, cause the same to be paid to the applicant. And if the property advertised for

*When there are not goods, &c. sufficient to satisfy the taxes, the collector may sell part of the lands, &c. first advertising for thirty days, &c.*

*Addition of 20 per cent. to taxes, in case of sale, &c.*

*Where the property is not divisible, the collector may sell the whole, &c.*

[\* Ante, ch. 565.]

*The surplus of money from sales to be deposited in the treasury, where the owner cannot be found, &c.*



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If the property cannot be sold for the amount, the collector to purchase for the United States, &c.

Provided; the owner paying the tax, and 10 per cent. thereon, the property not to be sold.

Provided; the owners, &c. may redeem lands, &c. within two years, &c.

sale as aforesaid, cannot be sold for the amount of the tax due thereon, with the said additional twenty per centum thereto, the collector shall purchase the same in behalf of the United States for the amount aforesaid. *Provided*, That the owner or superintendent of the property aforesaid, after the same shall have been as aforesaid advertised for sale, and before it shall have been actually sold, shall be allowed to pay the amount of the tax thereon, with an addition of ten per centum on the same, on the payment of which the sale of the said property shall not take place: *Provided also*, That the owners, their heirs, executors, or administrators, or any person on their behalf, shall have liberty to redeem the lands and other property sold as aforesaid, within two years from the time of sale, upon payment to the collector, for the use of the purchaser, his heirs or assigns, of the amount paid by such purchaser, with interest for the same, at the rate of twenty per centum per annum; and no deed shall be given in pursuance of such sale, until the time of redemption shall have expired. And the collector shall render a distinct account of the charges incurred in offering and advertising for sale such property, and shall pay into the treasury the surplus, if any there be, of the aforesaid addition of twenty per centum, or ten per centum, as the case may be, after defraying the charges. And in every case of the sale of real estate, which has been made under the said act of congress for the assessment and collection of direct taxes and internal duties, or which shall be made under the authority of this act, by the collectors or marshals, respectively, or their lawful deputies, respectively, or by any other person or persons, the deeds for the estate so sold shall be prepared, made, executed, and proved, or acknowledged, at the time and times prescribed, in this act, by the collectors, respectively, within whose collection district such real estate shall be situated, in such form of law as shall be authorized and required by the laws of the United States, or by the law of the state in which such real estate lies, for making, executing, proving, and acknowledging, deeds of bargain and sale, or other conveyances for the transfer and conveyance of real estate: And for every deed, so prepared, made, executed, proved, and acknowledged, the purchaser or grantee shall pay to the collector the sum of five dollars for the use of the collector, marshal, or other person, effecting the sale of the real estate thereby conveyed.

The collector to render a distinct account, &c. and pay into the treasury the surplus of the 20 or 10 per cent. &c.

Deeds for real estate sold, &c. to be made and executed by the collectors, &c.

The purchaser to pay 5 dolls. to the collector for every deed.

Lists of the property of nonresidents, on which the tax has not been paid within 90 days, to be transmitted to a collector to be designated by the secretary of the treasury, &c.

SECT. 28. *And be it further enacted*, That, with respect to property lying within any collection district, not owned, or occupied, or superintended, by some person residing in such collection district, and on which the tax shall not have been paid to the collector within ninety days after the day on which he shall have received the collection list from the said principal assessors, respectively, as aforesaid, or the requisition of the secretary of the treasury, as aforesaid, the collector shall transmit lists of the same to one of the collectors within the same state, to be designated for that purpose by the secretary of the treasury: and the collector, who shall have been thus designated by the secretary of the treasury, shall transmit receipts for all the lists re-

ceived, as aforesaid, to the collector transmitting the same. And the collectors thus designated in each state by the secretary of the treasury, shall cause notifications of the taxes due as aforesaid, and contained in the lists thus transmitted to them, to be published, for sixty days, in at least one of the newspapers published in the state; and the owners of the property on which such taxes may be due, shall be permitted to pay to such collector the said tax, with an addition of ten per centum thereon: *Provided*, That such payment is made within one year after the day on which the collector of the district where such property lies, had notified that the tax had become due on the same.\*

SECT. 29. *And be it further enacted*, That when any tax, as aforesaid, shall have remained unpaid for the term of one year, as aforesaid, the collector in the state where the property lies, and who shall have been designated by the secretary of the treasury as aforesaid, having first advertised the same for sixty days, in at least one newspaper in the state,† shall proceed to sell, at public sale, so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum thereon; or if such property is not divisible, as aforesaid, the whole thereof shall be sold and accounted for in manner hereinbefore provided. If the property advertised for sale cannot be sold for the amount of the tax due thereon, with the said addition thereon, the collector shall purchase the same in behalf of the United States, for such amount and addition. And the collector shall render a distinct account of the charges incurred in offering and advertising for sale such property, and pay into the treasury the surplus, if any, of the aforesaid addition of ten or twenty per centum, as the case may be, after defraying the said charges.

SECT. 30. *And be it further enacted*, That the collectors, designated, as aforesaid, by the secretary of the treasury, shall deposit with the clerks of the district court of the United States, in the respective states, and within which district the property lies, correct lists of the tracts of land, or other real property, sold by virtue of this act for nonpayment of taxes, together with the names of the owners, or presumed owners, or the purchasers, of the same, at the public sales aforesaid, and of the amount paid by such purchasers for the same; the owners, their heirs, executors, or administrators, or any person in their behalf, shall have liberty to redeem the lands or other property sold as aforesaid, within two years from the time of sale, upon payment, to the clerk aforesaid, for the use of the purchaser, his heirs, or assigns, of the amount paid by such purchaser for the said land, or other real property, with interest for the same, at the rate of twenty per centum per annum, and of a commission of five per centum on such payment, for the use of the clerk aforesaid. The clerk shall, on application, pay to the purchasers the money thus paid for their use; and the collectors, respectively, shall give deeds for the lands or property aforesaid, to the purchasers entitled to the same, in all cases where the same shall not have been redeemed within two years, as aforesaid, by the original owners thereof, or

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The collectors designated by the secretary of the treasury, to cause notifications to be published for 60 days, &c. The owners allowed to pay the tax, with 10 per cent. &c. *Provided*, the payment to be made within one year, &c. [\* See sec. 3, ch. 773, post.]

The tax remaining unpaid for a year, the collector designated, &c. to proceed to sell, &c.

[† See sec. 3, ch. 773, post.]

If the property cannot be sold, the collector to purchase, &c.

The collector to render a distinct account, &c. and pay into the treasury the surplus of the 10 or 20 per cent.

The collectors designated, &c. to deposit with the clerks of the district courts correct lists of the real property sold, &c.

The owners, &c. may redeem the property within two years, upon payment of the amount, &c. 20 per cent. and 5 per cent. &c.

The collectors to give deeds, &c.

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A dollar to the clerk for every deed, &c.

Infants, married women, &c. allowed two years after the removal of disability, to redeem lands sold, on paying, &c.

The purchaser to be paid for improvements, &c. the value to be ascertained by neighboring freeholders, &c.

Clerk of the court to be compensated, &c.

Collectors to transmit monthly statements, &c. and pay over quarterly, &c.

Collectors to complete their collections, &c. render a final account, &c. within 6 months, &c.

Provido; one year and three months, &c. allowed to the collector designated, &c.

Each collector to be charged with the whole amount of taxes by him receipted, and be allowed credit, &c.

their legal representatives. And the said clerks shall be entitled to receive from the purchaser, for his own use, the sum of one dollar, in addition to the sum hereinbefore made payable to the collector, for every such deed, to be paid on the delivery thereof to such purchasers. And in all cases where lands may be sold under this act for the payment of taxes, belonging to infants, persons of insane mind, married women, or persons beyond sea, such persons shall have the term of two years, after their respective disabilities shall have been removed, or their return to the United States, to redeem lands thus sold, on their paying into the clerk's office aforesaid the amount paid by the purchaser, together with ten per centum per annum; and on their payment to the purchaser of the land aforesaid, a compensation for all improvements he may have made on the premises, subsequent to his purchase, the value of which improvements to be ascertained by three or more neighboring freeholders, to be appointed by the clerk aforesaid, who, on actual view of the premises, shall assess the value of such improvements, on their oaths, and make a return of such valuation to the clerk immediately. And the clerk of the court shall receive such compensation for his services herein, to be paid by, and received from, the parties, like costs of suit, as the judge of the district court shall, in that respect, tax and allow.

SECT. 31. *And be it further enacted,* That the several collectors shall, at the expiration of every month after they shall, respectively, commence their collections, in the next, and every ensuing year, transmit to the secretary of the treasury a statement of the collections made by them, respectively, within the month, and pay over, quarterly, or sooner, if required by the secretary of the treasury, the moneys by them respectively collected within the said term; and each of the said collectors shall complete the collection of all sums annually assigned to him for collection as aforesaid, shall pay over the same into the treasury, and shall render his final account to the treasury department, within six months from and after the day when he shall have received the collection lists from the said board of principal assessors, or the said requisition of the secretary of the treasury as aforesaid: *Provided, however,* That the period of one year and three months, from the said annual day, shall be annually allowed to the collector designated in each state as aforesaid by the secretary of the treasury, with respect to the taxes contained in the list transmitted to him by the other collectors as aforesaid.

SECT. 32. *And be it further enacted,* That each collector shall be charged with the whole amount of taxes by him receipted, whether contained in the lists delivered to him by the principal assessors, respectively, or transmitted to him by other collectors; and shall be allowed credit for the amount of taxes contained in the lists transmitted in the manner above provided to other collectors, and by them receipted as aforesaid, and also for the taxes of such persons as may have absconded, or become insolvent, subsequent to the date of the assessment, and prior to the day when the tax ought, according to the provisions of this act,

to have been collected: *Provided*, That it shall be proven, to the satisfaction of the comptroller of the treasury, that due diligence was used by the collector, and that no property was left from which the tax could have been recovered: And each collector, designated in each state as aforesaid by the secretary of the treasury, shall receive credit for the taxes due for all tracts of land which, after being offered by him for sale in manner aforesaid, shall or may have been purchased by him in behalf of the United States. 1815.

*Provido; it must be satisfactorily proven that due diligence was used by the collector in the case of persons absconding, &c.*

SECT. 33. *And be it further enacted*, That if any collector shall fail, either to collect or to render his account, or to pay over in the manner, or within the times, hereinbefore provided, it shall be the duty of the comptroller of the treasury, and he is hereby authorized and required, immediately after such delinquency, to issue a warrant of distress against such delinquent collector and his sureties, directed to the marshal of the district, therein expressing the amount of the taxes with which the said collector is chargeable, and the sums, if any, which have been paid. And the said marshal shall, himself, or by his deputy, immediately proceed to levy and collect the sum which may remain due, by distress and sale of the goods and chattels, or any personal effects, of the delinquent collector; and for want of goods, chattels, or effects, aforesaid, sufficient to satisfy the said warrant, the same may be levied on the person of the collector, who may be committed to prison, there to remain until discharged in due course of law: And furthermore, notwithstanding the commitment of the collector to prison as aforesaid, or if he abscond, and goods, chattels, and effects, cannot be found sufficient to satisfy the said warrant, the said marshal, or his deputy, shall and may proceed to levy and collect the sum which remains due, by distress and sale of the goods and chattels, or any personal effects, of the surety or sureties of the delinquent collector. And the amount of the sums due from any collector, as aforesaid, shall, and the same are hereby declared to, be, a lien upon the lands and real estate of such collector and his sureties, until the same shall be discharged according to law. And for want of goods and chattels, or other personal effects of such collector, or his sureties, sufficient to satisfy any warrant of distress, issued pursuant to the preceding section of this act, the lands and real estate of such collector and his sureties, or so much thereof as may be necessary for satisfying the said warrant, after being advertised for at least three weeks, in not less than three public places in the collection district, and in one newspaper printed in the county or district, if any there be, prior to the proposed time of sale, may and shall be sold by the marshal or his deputy; and for all lands and real estate, sold in pursuance of the authority aforesaid, the conveyances of the marshals, or their deputies, executed in due form of law, shall give a valid title against all persons claiming under delinquent collectors, or their sureties, aforesaid. And all moneys that may remain of the proceeds of such sale, after satisfying the said warrant of distress, and paying the reasonable costs and charges of sale, shall be returned to the proprietor of the lands or real estate sold as aforesaid.

*Collectors failing to collect or render account, the comptroller to issue a warrant of distress against the delinquent and his sureties, &c.*

*The marshal, &c. to proceed to levy by distress, &c.*

*For want of goods, &c. the person of the collector may be committed to prison, &c.*

*Notwithstanding the commitment of the collector, &c. the marshal may proceed by distress against the goods, &c. of the sureties, &c.*

*Sums due from a collector, to be a lien upon his real estate and that of his sureties, &c.*

*For want of goods, &c. the lands, &c. may be sold, after being advertised, &c.*

*Conveyances by marshals, &c. for lands of delinquent collectors sold, &c. valid, &c.*

*Moneys remaining, to be returned, &c.*

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Collectors, &c.  
liable to pay not  
exceeding 2,000  
dolls. for extor-  
tion, &c.

SECT. 34. *And be it further enacted,* That each and every collector, or his deputy, who shall exercise or be guilty of any extortion or oppression, under color of this act, or shall demand other or greater sums than shall be authorized by this act, shall be liable to pay a sum not exceeding two thousand dollars, to be recovered, by and for the use of the party injured, with costs of suit, in any court having competent jurisdiction; and each and every collector or his deputies shall give receipts for all sums by them collected and retained in pursuance of this act.

Collectors, &c.  
to give receipts,  
&c.

Compensation  
of principal as-  
sessor, &c.

SECT. 35. *And be it further enacted,* That there shall be allowed and paid, for the services performed under this act, to each principal assessor, two dollars for every day employed in making the necessary arrangements and giving the necessary instructions to the assistant assessors for the valuations; three dollars for every day employed in making revised valuations and tax lists, where an assessment and valuation have heretofore been made, and in hearing appeals and making out lists, agreeably to the provisions of this act, upon original assessments and valuations; and five dollars for every hundred taxable persons contained in the tax list, as delivered by him to the said board of principal assessors: to each assistant assessor, two dollars for every day actually employed in collecting lists and making valuations, the number of days necessary for that purpose being certified by the principal assessor, and approved by the comptroller of the treasury; and three dollars for every hundred taxable persons contained in the tax list, as completed and delivered by him to the principal assessor: to each of the principal assessors constituting the board of principal assessors as aforesaid, for every day's actual attendance at the said board, the sum of three dollars, and for travelling to and from the place designated by the secretary of the treasury, three dollars for each thirty miles. And to each of the clerks of the said board, three dollars for every day's actual attendance thereon. And the said board of principal assessors, and the said assessors, severally and respectively, shall be allowed their necessary and reasonable charges for books and stationery used in the execution of their duties; and the compensation herein allowed, shall be in full for all other expenses not particularly specified.

Compensation  
of assistant as-  
sessor, &c.

Compensation  
of assessors con-  
stituting the  
board, &c.

Compensation  
of clerks, &c.  
Assessors allow-  
ed reasonable  
charges for  
books and sta-  
tionery, &c.

Compensations  
to be paid at the  
treasury, &c.  
200,000 dolls.  
appropriated for  
paying assess-  
ors, &c.

The president  
may augment the compensation of assessors, &c.  
Provido; augmented compensation limited, &c.  
Annual sum of 200,000 dolls. appropriated for augmented compensation, &c.

SECT. 36. *And be it further enacted,* That the compensation herein before provided for the services of the principal assessors and their assistants, and for the board of principal assessors and their clerks, shall be paid at the treasury; and there is hereby appropriated, for that purpose, the sum of two hundred thousand dollars, to be paid out of any money not otherwise appropriated. And the president of the United States shall be, and he is hereby, authorized to augment, in cases where he shall deem it necessary, the compensation authorized by this act for the principal assessors and their assistants: *Provided,* That no principal assessor shall, in any case, receive more than three hundred dollars, and no assistant assessor shall receive more than one hundred and fifty dollars; and for such augmented compensation, and the expense of carrying this act annually into effect,

there is further hereby appropriated an annual sum of one hundred and fifty thousand dollars, to be paid out of any money in the treasury, not otherwise appropriated.

**SECT. 37.** *And be it further enacted,* That in cases where principal assessors have not been, or shall not, during the present session of congress, be, appointed, and in cases where vacancies shall occur in the office of principal assessor, the president of the United States is hereby authorized to make appointments during the recess of the senate, by granting commissions, which shall expire at the end of the next session. And where no person can be found in any collection district, or assessment district, to serve either as collector, principal assessor, or assistant assessor, respectively, the president of the United States is hereby authorized to appoint one of the deputy postmasters in such district, to serve as collector, or assessor, as the case may be. And it shall be the duty of such deputy postmaster to perform, accordingly, the duties of such officer.

The president authorized, in the cases mentioned, to make appointments during the recess, &c.

Where no person can be found to serve, &c. the president may appoint a deputy postmaster as collector or assessor, &c.

**SECT. 38.** *And be it further enacted,* That separate accounts shall be kept at the treasury, of all moneys received from the direct tax and from the internal duties, in each of the respective states, territories, and collection districts; and that separate accounts shall be kept of the amount of each species of duty that shall accrue, with the moneys paid to the collectors, assessors, and assistant assessors, and to the other officers employed, in each of the respective states, territories, and collection districts, which accounts it shall be the duty of the secretary of the treasury, annually, in the month of December, to lay before congress.

Separate accounts to be kept at the treasury of moneys received, &c. in each of the states, territories, &c. and of the amount of each species of duty, &c.

Accounts to be laid before congress.

**SECT. 39.** *And be it further enacted,* That the principal assessors, respectively, shall, yearly, and every year, after the year one thousand eight hundred and fifteen, in the month of January, inquire and ascertain, in the manner by the sixth section of this act provided, what transfers and changes of property in lands, lots of ground, dwelling houses, and slaves, have been made and effected in their respective districts, subsequent to the next preceding valuation, assessment, and apportionment, of the direct tax, by this act laid; and, within twenty days thereafter, they shall make out three lists of such transfers and changes, and transmit one list to the secretary of the treasury, another list to the commissioner of the revenue, and the third shall be delivered to the collector of the collection district. And it shall, yearly, and every year, after the said year one thousand eight hundred and fifteen, be the duty of the secretary of the treasury to notify the collectors of the several collection-districts, a day in the month of February,\* on which it shall be the duty of the said collectors to commence laying and collecting the annual direct tax by this act laid and imposed, according to the assessment of the tax lists to them delivered by the said principal assessors, as aforesaid, subject only to such alterations therein as shall be just and proper, in the opinion of the secretary of the treasury, to conform to the transfers and changes aforesaid, ascertained by the principal assessors as aforesaid; and the said collectors shall, annually, in all respects, proceed in, and conclude, the collection of

The principal assessors to inquire, yearly, what transfers and changes of property in lands, &c. have been made, &c.

Three lists of transfers and changes, &c.

The secretary of the treasury to notify the collectors, yearly, a day, &c. on which to commence laying and collecting the direct tax, &c.

[\* See sec. 1, ch. 773, post.]

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Each state may pay its quota of the direct tax, and be entitled to a deduction of 15 or 10 per cent. &c.

Proviso; notice of intention to pay, &c.

Proviso; notice and payment not to discontinue proceedings, &c. but, &c.

The direct tax laid by this act pledged for the payment of the public debt, &c.

The faith of the United States pledged for the actual application of the revenue from the direct tax, &c.  
[\*Ante, ch. 565.]

Proviso; cong. as may substitute other taxes or duties, &c.

Proviso; nothing herein to impair any specific appropriation of the direct taxes, &c.

The president may authorize the secretary of the treasury to anticipate the receipt of the direct tax, by a loan of not

SECT. 40. *And be it further enacted*, That each state may pay its quota of the direct tax by this act laid, into the treasury of the United States, for the first, and for any and every succeeding, year; and, in consideration of such payment, the state shall be entitled to a deduction of fifteen per centum, if paid before the first day of May, and ten per centum, if paid before the first day of October, in the year to which the payment relates: *Provided*, That notice of the intention to make such payment be given to the secretary of the treasury, on or before the first day of April in each year: *And provided*, That such notice and payment shall not in anywise prevent or discontinue the proceedings under this act, to make the valuations, assessments, and apportionments, herein authorized and directed, but shall only prevent or discontinue the collection of the quota of the state giving such notice and making such payment.

SECT. 41. *And be it further enacted*, That, towards establishing an adequate revenue to provide for the payment of the expenses of government; for the punctual payment of the public debt, principal and interest, contracted and to be contracted, according to the terms of the contracts, respectively; and for creating an adequate sinking fund, gradually to reduce, and eventually to extinguish, the public debt, contracted, and to be contracted, the direct tax by this act laid shall continue to be laid, levied, and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished, any thing in the said act of congress to the contrary thereof, in anywise, notwithstanding. And, for the effectual application of the revenue to be raised by and from the said direct tax laid by this act, and also by and from the direct tax laid by the said act of congress, entitled "An act to lay and collect a direct tax within the United States,"\* to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged: *Provided always*, That whenever congress shall deem it expedient to alter, reduce, or change, the said direct tax, by this act laid, it shall be lawful so to do, upon providing and substituting, by law, at the said time, and for the same purposes, other taxes or duties, which shall be equally productive with the direct tax so altered, reduced, or changed: *And provided further*, That nothing in this act contained shall be deemed or construed, in anywise, to rescind or impair any specific appropriation of the said direct taxes, or either of them; but such appropriation shall remain and be carried into effect, according to the true intent and meaning of the law and laws making the same, any thing in this act to the contrary thereof, in anywise, notwithstanding.

SECT. 42. *And be it further enacted*, That it shall be lawful for the president of the United States to authorize the secretary of the treasury to anticipate the collection and receipt of the direct tax, laid and imposed by this act, and by the said act of congress, entitled "An act to lay and collect a direct tax within

the United States,"\* by obtaining a loan upon the pledge of the said direct taxes, or either of them, for the reimbursement thereof, to an amount not exceeding six millions of dollars, and at a rate of interest not exceeding six per centum per annum. And any bank or banks now incorporated, or which may hereafter be incorporated, under the authority of the United States, is, and are hereby, authorized to make such loan: *Provided always, and it is expressly declared*, That the money so obtained upon loan shall be applied to the purposes aforesaid, to which the said direct taxes, so to be pledged, are by this act applied and appropriated, and to no other purposes whatsoever.

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exceeding  
\$,000,000 dolls.  
or not exceeding  
6 per cent.  
&c.  
[\* Ante, ch. 555.]  
Banks incorporated,  
&c. may  
lend the money.  
Provide; the money  
borrowed to  
be applied to the  
same purposes as  
the taxes.

[Approved, January 9, 1815.]

CHAP. 704. An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on various goods, wares, and merchandise, manufactured within the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, from and after the expiration of ninety days subsequent to the passing of this act, there shall be paid, upon all goods, wares, and merchandise, of the following descriptions, which shall thereafter be manufactured or made for sale within the United States, or the territories thereof, the respective duties following, that is to say:

Pig iron, per ton, one dollar:

Castings of iron, per ton, one dollar and fifty cents:

Bar iron, per ton, one dollar:

Rolled or slit iron, per ton, one dollar:

Nails, brads, and sprigs, other than those usually denominated wrought, per pound, one cent:

Candles of white wax, or in part of white and other wax, per pound, five cents:

Mould candles of tallow, or of wax other than white, or in part of each, per pound, three cents:

Hats and caps, in whole or in part of leather, wool, or furs; bonnets, in whole or in part of wool or fur, if above two dollars in value, eight per centum ad valorem:

Hats of chip or wood, covered with silk or other materials, or not covered, if above two dollars in value, eight per centum ad valorem:

Umbrellas and parasols, if above the value of two dollars, eight per centum ad valorem:

Paper, three per centum ad valorem:

Playing and visiting cards, fifty per centum ad valorem:

Saddles and bridles, six per centum ad valorem:

Boots and bootees, exceeding five dollars per pair in value, five per centum ad valorem:

Beer, ale, and porter, six per centum ad valorem:

Tobacco, manufactured segars, and snuff, twenty per centum ad valorem:

Rates of duties,  
&c.

Duties on goods,  
&c. manufactured  
in the United  
States, after  
the 18th April,  
1815.



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The duties to be paid by the owner or occupier of the buildings, or machines, &c.

Deduction of 3 per cent. for prompt payment, &c.

Owners of buildings, &c. used for manufacturing goods, &c. to give bond, &c.

Condition of the bond, &c.

**Leather**, including therein all hides and skins, whether tanned, tawed, dressed, or otherwise made, on the original manufacture thereof, five per centum ad valorem: which said duties shall be paid by the owner or occupier of the buildings or vessels in which, or of the machines, implements, or utensils wherewith, the said goods, wares, and merchandise, shall have been manufactured or made, or by the agent or superintendent thereof; the amount thereof payable by any one person, at any one time, if not exceeding twenty dollars shall, and if exceeding twenty dollars may, be paid in money, with a deduction of two per centum, at the time of rendering the accounts of the articles so chargeable with duty, required to be rendered by the second section of this act, or without deduction at the next subsequent time prescribed for rendering such accounts.

**SECT. 2.** *And be it further enacted,* That every person who, from and after the expiration of ninety days subsequent to the passing of this act, shall be the owner or occupier of any building, or vessel, or machine, implement or utensil, used or intended to be used for the manufacturing or making of such goods, wares, and merchandise, or either of them, or who shall have such building, or vessel, or machine, implement, or utensil, under his superintendence, either as agent for the owner or on his own account, shall, before the expiration of the said ninety days, and every person who, after the expiration of the said ninety days, shall use, or intend to use, any building, or vessel, or machine, implement, or utensil, as aforesaid, either as owner, occupier, agent, or otherwise, shall, before he shall begin so to use, or cause the same so to be used, give bond, with at least two sureties, to the satisfaction of the collector of internal duties for the district in which the same shall be situate, in a sum not less than the computed duties for one year, nor less than one hundred dollars, that he will, before using, or causing the same to be used, make true and exact entry and report, in writing, to the said collector, of every such building, or vessel, machine, implement, or utensil, owned, occupied, or superintended, by him, with the size thereof, the names of the owner, occupier, agent, and superintendent, the place where situate, and the manner in which, and the time for which, not exceeding one year, it is intended to employ the same, with the denominations and quantities of the articles manufactured or made as aforesaid, which he may have on hand, with the value thereof: that he will thereafter, before using, or causing the same to be used, make like entry and report of any other building, or vessel, machine, implement, or utensil, used, or intended to be used, as aforesaid, that he may own, occupy, or have the agency or superintendence of, with the size thereof, the names of the owner, occupier, agent, and superintendent, the place where situate, and the manner in which, and the time for which, not exceeding one year, it is intended to employ the same, with information, from time to time, of any change in the form, size, agency, ownership, occupancy, or superintendence, which all or either of the said buildings or vessels, machines, implements, or utensils, may undergo; that he will,

from day to day, so long as he may use the same, enter, or cause to be entered, in a book or books, to be kept by him for that purpose, and which shall be open at all times, between the rising and setting of the sun, for the inspection of the said collector, who may take any minutes, memorandums, or transcripts, thereof, the denominations and quantities of the articles manufactured or made, and will render to the said collector, on the first day of January, April, July, and October, in each year, or within ten days thereafter, a general account in writing, taken from his books, of the denominations and quantities of the said articles, with the aggregate value thereof, for three months preceding said days, or for such portion thereof as may have elapsed from the date of said entry and report to the said day which shall next ensue: that he will, at the said times, deliver to the said collector the original book of entries, which book shall be retained by said officer: that he will likewise, from day to day, enter or cause to be entered, in a book or books to be kept by him for that purpose, and which shall be open at all times, between the rising and setting of the sun, for the inspection of the said collector, who may take any minutes, memorandums, or transcripts, thereof, the denominations and quantities of all the hereinbefore enumerated manufactured articles sold, with the price for which the same were sold, specifying, in each sale, the name of the person to whom sold, where the amount sold shall exceed ten dollars in value: and that he will render to the said collector, at the time of rendering the said general accounts, a statement in writing, taken from said book or books, in which there shall be specified the denominations and quantities of all such manufactured articles sold on each day, stating distinctly each sale, with the name of the purchaser, and the denominations and quantities sold, and price, where the same shall exceed ten dollars, and the aggregate denominations and quantities, with the aggregate value of all other sales; that he will verify or cause to be verified, the said entries, reports, books, general accounts, and statements, on oath or affirmation, to be taken before the collector, or some officer authorized by law to administer the same, according to the form required by this act, where the same is prescribed; and that he will pay to the said collector the duties which by this act ought to be paid on the articles so manufactured, and in the said account mentioned, if not exceeding twenty dollars, at the time of rendering an account thereof, with a deduction of two per centum, and if exceeding twenty dollars, either at said time, with a like deduction, or at the next subsequent time prescribed for rendering such accounts, without deduction; and the said bond may, from time to time, at the discretion of the collector, be renewed or changed, in regard to the sureties and penalties thereof. And every such person, whether owner, occupier, agent, or superintendent, as aforesaid, shall, at the time of making the entry and report, first before stated, obtain, agreeably thereto, a license for employing, for a term not exceeding one year, such buildings, or vessels, or machines, implements, or utensils, describing the same, with the use to which they are to

The bond may be renewed or changed, &c.

A license to be obtained, for not exceeding one year, &c.

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The collector to grant the license.

Licenses to be signed by the commissioner of the revenue, &c.

The entries made in the books required to be kept, to be verified by oath, &c.

Substance of the oath.

Additional oath, in case the original entries are not made by the owner, &c.

Form of the additional oath.

If the duties are not duly paid, an addition of 10 per cent. on the amount, &c.

The collector to make a personal demand, &c. in case, &c.

On refusal or neglect, &c. the amount to be recovered by distress and sale, &c.

Proceedings of the officer in case of distress.

be applied, the place where situate, the name of the owner, occupier, agent, or superintendent, and the term for which it is intended to use the same; which license the said collector is hereby empowered and directed to grant. And a like license, for any term not exceeding a year, shall be obtained and granted on a like report and entry made at any time thereafter, without requiring a new bond, so long as the bond aforesaid shall remain in force. Which licenses shall be signed by the commissioner of the revenue, and countersigned by the collector who shall issue the same.

SECT. 3. *And be it further enacted*, That the entries made in the books, required to be kept by the second section of this act, shall, on the said first days of January, April, July, and October, or within ten days after each of the said days, be verified by the oath or affirmation, to be taken as aforesaid, of the person or persons by whom such entries shall have been made, which qualification shall be certified at the end of such entries by the collector, or officer administering the same, and shall be, in substance, as follows: "*I (or we) do swear (or affirm) that the foregoing entries were made by me (or us) on the respective days specified, and that they state, according to the best of — knowledge and belief, the whole quantities and denominations, with the value thereof, of the — manufactured (or sold, as the case may be) by —, in the — of —.*"

SECT. 4. *And be it further enacted*, That the owner, occupier, agent, or superintendent, aforesaid, shall, in case the original entries required to be made in his books by the second section of this act, shall not be made by himself, subjoin to the oath or affirmation of the person by whom they were made, the following oath or affirmation, to be taken as aforesaid: "*— do solemnly swear (or affirm) that, to the best of — knowledge and belief, the foregoing entries are just and true, and that — have taken all the means in — power to make them so.*"

SECT. 5. *And be it further enacted*, That, in all cases in which the duties aforesaid shall not be duly paid, the person chargeable therewith shall pay, in addition, ten per centum on the amount thereof; and in case such duties, with said addition, shall not be paid within three months from the time the said duties ought to be paid, the collector for the district shall make a personal demand of the same from such person, or by notice in writing, left at his dwelling, if within the collection district, and if not, at the manufactory owned or superintended by such person; and in case of refusal or neglect to pay the said duties, with the addition, within ten days after such demand or notice, the amount thereof shall be recovered by distress and sale of the goods, chattels, and effects, of the delinquent; and, in case of such distress, it shall be the duty of the officer charged with the collection to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distress, shall be left with the owner or possessor of such goods, chattels, or effects, or at his or her dwelling, with a note of the sum demanded, and the time and

place of sale; and the said officer shall forthwith cause a notification to be publicly posted up, at two of the taverns nearest to the residence of the person whose property shall be distrained, or at the courthouse of the same county, if not more than ten miles distant; which notice shall specify the articles distrained, and the time and place proposed for the sale thereof, which time shall not be less than ten days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distress: *Provided*, That in any case of distress for the payment of the duties aforesaid, the goods, chattels, or effects, so distrained, shall and may be restored to the owner or possessor, if, prior to the day assigned for the sale thereof, payment, or tender thereof, shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expenses of removing and keeping the goods, chattels, or effects, so distrained, as may be allowed, in like cases, by the laws or practice of the state or territory wherein the distress shall have been made; but in case of nonpayment or tender, as aforesaid, the said officer shall proceed to sell the said goods, chattels, or effects, at public auction, and shall and may retain, from the proceeds of such sales, the amount demandable for the use of the United States, with the necessary and reasonable expenses of distress and sale, and a commission of eight per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects, shall have been distrained: *Provided*, That it shall not be lawful to make distress of beasts of the plough necessary for the cultivation of improved lands, arms, or household furniture, or apparel necessary for a family.

*Proviso; in case of distress, &c. the goods, &c. may be restored, on payment, or tender, of the full amount, &c.*

*In case of non-payment, the officer to proceed to sell, &c.*

*8 per cent. commission to the officer, and the overplus to be rendered to the owner, &c.*

*Proviso; beasts of the plough, &c. not to be distrained.*

SECT. 6. *And be it further enacted*, That all goods, wares, and merchandise, which shall be manufactured or made within the United States, or the territories thereof, the duties on which shall not have been duly paid or secured, according to the true intent and meaning of this act, shall, together with the vessels containing the same, be forfeited, and may be seized as forfeited by any collector of the internal duties, and held by him until a decision shall be had thereon according to law: *Provided*, That said goods, wares, and merchandise, shall not be liable to be forfeited in the hands of a bona fide purchaser, who shall have purchased the same without knowledge of the duties not being paid, or secured to be paid. And if any person shall conceal or buy any goods, wares, and merchandise, as aforesaid, knowing them to be liable to seizure and forfeiture under this act, such person shall, on conviction thereof, forfeit and pay a sum double the value of the goods so concealed or purchased.

*Goods, &c. manufactured within the United States, &c. the duties on which have not been paid, &c. forfeited, &c.*

*Proviso; the goods, &c. not forfeited in the hands of a bona fide purchaser, who, &c.*

*Persons concealing goods liable to seizure, &c. forfeit double the value, &c.*

SECT. 7. *And be it further enacted*, That the owner, occupier, agent, or superintendent, as aforesaid, of or for any such building, or vessel, machine, implement, or utensil, used in the manufacture or making of any of the said goods, wares, and merchandise, who shall wilfully neglect or refuse to make true and exact entry and report of the same, or to do, or cause to be done, any

*Owners, &c. of the buildings, machines, &c. wilfully neglecting or refusing to make true entry, &c. etc. pt. &c. to forfeit the*

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goods, &c. vessels, machines, &c. and 500  
dollars, &c.

The goods, &c.  
forfeited, may  
be seized by any  
collector, &c.

Provido; the  
seizure must be  
made within  
three months  
after the cause  
occurred, &c.

In case the du-  
ties are not paid  
or recovered,  
&c. the bond is  
forfeited, and to  
be put in suit,  
&c.

Judgment on  
bonds at return  
term, unless,  
&c.  
Provido; the  
writ, &c. must  
have been exe-  
cuted 14 days  
before, &c.

The duties im-  
posed by this  
act applicable  
solely to articles  
manufactured  
for sale, &c.

The duties to be  
payable on all  
goods, &c. the  
manufacture of  
which has not  
been completed  
by the 18th  
April, 1817, &c.

Owners, agents,  
&c. who fail,  
after notice, &c.  
to renew their  
bonds, consid-  
ered as proceeding  
without license,  
&c.

The forms of  
bond, oaths,

of the things by this act required to be done as aforesaid, excepting to pay the duties hereby laid in cases where the bond required by the second section of this act has been given, shall forfeit, for every such neglect or refusal, all the goods, wares, and merchandise, manufactured or made by or for him, with the vessels containing the same, and the vessels, machines, implements, or utensils, used in said manufacture or making, together with the sum of five hundred dollars, to be recovered with costs of suit; which said goods, wares, and merchandise, with the vessels, or machines, implements, or utensils, so used, may be seized by any collector of the internal duties, and held by him until a decision shall be had thereon according to law: *Provided*, Such seizure be made within three months after the cause for the same may have occurred, and that a prosecution or action thereupon shall have been commenced by such collector within sixty days after such seizure.

SECT. 8. *And be it further enacted*, That in case the duties aforesaid shall not be paid or recovered, agreeably to the provisions of this act, or in case any acts shall be done contrary to, or any acts omitted that are required to be done by, the bond to be given as aforesaid, or the penalties incurred thereby shall not be recovered, the said bond shall be deemed forfeited, and shall be put in suit by the collector, for the recovery of the amount of the said duties, with the addition thereon, penalties and costs, or either, as the case may be; and judgment thereon shall and may be taken at the return term, on motion to be made in open court, unless sufficient cause to the contrary be shown to, and allowed by, the court: *Provided*, That the writ or process in such case shall have been executed at least fourteen days before the return day thereof.

SECT. 9. *And be it further enacted*, That the duties imposed by this act, shall be considered as applying solely to articles manufactured for sale, and shall not be considered as including any articles manufactured exclusively for the use of the person manufacturing the same.

SECT. 10. *And be it further enacted*, That the duties laid by this act, shall be payable on all the goods, wares, and merchandise, aforesaid, the manufacture or making of which shall not, within ninety days after the passing thereof, be fully completed, or which shall not be then in the condition in which they usually are when offered for sale.

SECT. 11. *And be it further enacted*, That any owner, occupier, agent, or superintendent, as aforesaid, who may have given bond as required in the second section of this act, who shall, after thirty days' notice given him in writing, by the collector, fail to renew or change the same, in regard to the sureties and penalties thereof, as is in the same section provided, shall thereafter incur the penalties attached to employing the said buildings, or vessels, or machines, implements, or utensils, without having a license therefor.

SECT. 12. *And be it further enacted*, That the forms of the bond required to be given by the second section of this act, as

well as the forms of the several oaths, reports, entries, statements, and accounts, by this act required to be taken, kept, and rendered, shall be prescribed by the treasury department, agreeably to which the aforesaid specification of the buildings, or vessels, in which, or of the machines, implements, or utensils, where-with, the aforesaid goods, wares, and merchandise, shall be manufactured or made, shall be rendered by the owner, occupier, agent, or superintendent, thereof.

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reports, &c. to be prescribed by the treasury department, &c.

SECT. 13. *And be it further enacted,* That the value of the manufactured or made goods, wares, and merchandise, required to be stated as aforesaid, shall be regulated by the average of the actual sales by the manufacturer, of the like goods, wares, and merchandise, during the quarter, where such actual sales may have been made; and where no such actual sales have been made, such value, so far as respects a manufacturer selling exclusively by wholesale, shall be regulated by the average of the market wholesale sales of the like goods, wares, and merchandise, and so far as respects a manufacturer selling by retail, by the market sales by retail in like manner.

Method of regulating the value of manufactured or made goods, &c.

SECT. 14. *And be it further enacted,* That if any person shall forcibly obstruct or hinder a collector in the execution of this act, or of any of the powers or authorities hereby vested in him, or shall forcibly rescue, or cause to be rescued, any goods, wares, or merchandise, or vessels, machines, implements, or utensils, aforesaid, after the same shall have been seized by him, or shall attempt, or endeavor so to do, the person so offending shall, for every such offence, forfeit and pay the sum of five hundred dollars.

\$500 dollars. forfeit for forcibly obstructing a collector in the execution of this act, &c.

SECT. 15. *And be it further enacted,* That a collector shall be authorized to enter, at any time between the rising and setting of the sun, any building or place where any vessel, machine, implement, or utensil, as aforesaid, is kept within his collection district, for the purpose of examining, measuring, or describing, the same, or of inspecting the accounts of the goods, wares, and merchandise, from time to time manufactured or made. And every owner or occupier of such building, machine, implement, or utensil, or person having the agency or superintendence of the same, who shall refuse to admit such officer, or to suffer him to examine, measure, or describe, the same, or to inspect said accounts, shall, for every such refusal, forfeit and pay the sum of five hundred dollars.

A collector is authorized to enter, between the rising and setting of the sun, any building, for the purpose of examining, &c.

Owners, &c. refusing to admit the officer, &c. forfeit \$500 dollars.

SECT. 16. *And be it further enacted,* That any person who shall be convicted of wilfully taking a false oath or affirmation, in any of the cases in which an oath or affirmation is required to be taken in virtue of this act, shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury,\* and shall, moreover, forfeit the sum of five hundred dollars.

The pains and penalties of perjury, and \$500 dolls. forfeit for false swearing, &c.

[\*Sec sec. 18, ch. 36, vol. 2.]

SECT. 17. *And be it further enacted,* That no person who shall have refused or neglected to comply with the provisions of this act, shall be entitled, while such refusal or neglect continues, to receive a license as aforesaid, or shall be entitled to credit for any internal duties whatever that may have accrued.

Persons having neglected or refused to comply with this act, not to receive license nor have credit, while, &c.

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Collectors to  
give receipts,  
&c.

Owners, agents,  
&c. having ceas-  
ed to use build-  
ings, machines,  
&c. for one  
year, &c. to  
have their bonds  
delivered to  
them, &c.

The act making  
further provi-  
sion for the col-  
lection of inter-  
nal duties, &c.  
declared to ap-  
ply to the duties  
to be collected  
under this act,  
&c.  
[\*Ante, ch. 584.]

Collectors to  
collect the du-  
ties, and prose-  
cute for the re-  
covery of the  
same, &c.

Fines, &c. to be  
recovered in  
the name of the  
United States,  
&c. by bill,  
plaint, &c.

A moiety of  
fines, &c. to the  
informer, &c.

Where the  
cause of action  
arises more  
than fifty miles  
from the near-  
est place for  
holding a dis-  
trict court, re-  
covery may be  
had before a  
court of the  
state, &c.

Collectors to  
furnish copies  
of this act to  
persons liable to  
the duty, &c.

SECT. 18. *And be it further enacted,* That every collector shall give receipts for all sums by him collected under this act.

SECT. 19. *And be it further enacted,* That if it shall appear, to the satisfaction of the collector for the district, that any owner, occupier, agent, or superintendent, as aforesaid, of any buildings, vessels, or machines, implements, or utensils, as aforesaid, who shall have given bond agreeably to the second section of this act, and shall have ceased to use the same for one year, and made oath or affirmation thereof, to be lodged with said collector, hath acted agreeably to the condition of such bond, the collector shall cause such bond to be delivered to said owner, occupier, agent, or superintendent.

SECT. 20. *And be it further enacted,* That the several provisions of "An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors,"\* passed the second of August, one thousand eight hundred and thirteen, shall, and are hereby declared to, apply in full force to the duties laid by, and to be collected under, this act, the same as if such duties and this act were recognised therein; which said duties shall be collected by the same collectors, in the same manner, for the same commissions, and under the same directions, as are thereby established in relation to the other internal duties; and all the obligations, duties, and penalties, thereby imposed upon collectors, are hereby imposed upon the collectors of the duties laid by this act.

SECT. 21. *And be it further enacted,* That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act; and all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture, shall have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person, who, if a collector, shall first discover, if other than a collector, shall first inform, of the cause, matter, or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court, within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

SECT. 22. *And be it further enacted,* That the collector shall furnish one copy of this act to each person liable to pay a duty under the same, within the collection district, that may apply therefor, and shall advertise in a newspaper, or post up notices at the courthouses therein, of his instruction to furnish the same.

**SECT. 23.** *And be it further enacted, That, towards establishing an adequate revenue to provide for the payment of the expenses of government; for the punctual payment of the public debt, principal and interest, contracted, and to be contracted, according to the terms of the contracts, respectively; and for creating an adequate sinking fund, gradually to reduce, and eventually to extinguish, the public debt, contracted and to be contracted; the rates and duties laid and imposed by this act shall continue to be laid, levied, and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished. And for the effectual application of the revenue, to be raised by and from the said duties, to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged: *Provided always,* That whenever congress shall deem it expedient to alter, reduce, or change, the said duties, or either of them, it shall be lawful so to do, upon providing and substituting by law at the same time, and for the same purposes, other duties, which shall be equally productive with the duties so altered, reduced, or changed.*

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The duties laid by this act pledged for the payment of the public debt, &c.

The faith of the United States pledged for the effectual application of the revenue, &c. *Provido,* congress may substitute other duties, &c.

**SECT. 24.** *And be it further enacted, That so long as the duties, herein imposed on each of the foregoing descriptions of goods, wares, and merchandise, shall continue to be laid, the duties at present payable on the like description of goods, wares, and merchandise, imported into the United States, shall not be discontinued or diminished, and the faith of the United States is hereby pledged for the continuance of the same until this act shall be repealed. [Approved, January 18, 1815.]*

So long as the duties herein imposed continue, the duties payable on imported goods, &c. of the same kind not to be diminished, &c.

**CHAP. 705.** An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on household furniture, and on gold and silver watches.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That there shall be, and hereby is, imposed an annual duty on all household furniture kept for use, the value of which, in any one family, with the exception of beds, bedding, kitchen furniture, family pictures, and articles made in the family from domestic materials, shall exceed two hundred dollars in money, according to the following scale:*

An annual duty on household furniture kept for use, above the value of 200 dollars, in money, except, &c.

*If not exceeding four hundred dollars, one dollar.*

Scale of duties.

*If above four hundred, and not exceeding six hundred, dollars, one dollar and fifty cents.*

*If above six hundred, and not exceeding one thousand, dollars, three dollars.*

*If above one thousand, and not exceeding fifteen hundred, dollars, six dollars.*

*If above fifteen hundred, and not exceeding two thousand, dollars, ten dollars.*

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If above two thousand, and not exceeding three thousand, dollars, seventeen dollars.

If above three thousand, and not exceeding four thousand, dollars, twenty-eight dollars.

If above four thousand, and not exceeding six thousand, dollars, forty-five dollars.

If above six thousand, and not exceeding nine thousand, dollars, seventy-five dollars.

The duty to be paid by the owner, &c.

Annual duty of \$ dolls. on every gold, and 1 doll. on every silver, watch, &c.

When lists of property are taken in any district, under a general assessment, &c. written lists of the value of household furniture, and of watches, are to be made out and delivered to the assistant assessor, &c.  
[\* Ante, ch. 544.]

If any person is not prepared, &c. and discloses the value, &c. the assistant assessor is to make the list, &c.

100 dollars forfeit for delivering or disclosing a false or fraudulent list, &c.]

In case of persons being absent, the assessor to leave a written memorandum, &c.

If above nine thousand dollars, one hundred dollars: which duty shall be paid by the owner of the said household furniture.

That there shall be, and hereby is, likewise imposed, an annual duty of two dollars on every gold watch kept for use, and of one dollar on every silver watch kept for use, which duty shall be paid by the owner thereof.

SECT. 2. *And be it further enacted*, That whenever lists of property shall hereafter be taken in any collection district, under a general assessment therein by the assistant assessors, as required by the "Act for the assessment and collection of direct taxes and internal duties,"\* passed July the twenty-second, one thousand eight hundred and thirteen, or by any other act, passed or to be passed, lists of the value of the household furniture, as classed by the first section of this act, with the number and description of watches, within such collection district, belonging to each person therein taxable as aforesaid, with the name of the owner or agent, shall be made out in writing by such person or his agent, and delivered to the assistant assessor, at the time of his application therefor, which shall be the same time as that prescribed in the act then in force, for the delivery of the lists therein required to be delivered; and the said assistant assessor is hereby empowered and directed to apply therefor at the dwelling of said person, or his agent, at the said time.

SECT. 3. *And be it further enacted*, That if any person or agent, as aforesaid, shall not be prepared to exhibit a written list when required, and shall consent to disclose the value of any and all the said household furniture, and the number of watches, as aforesaid, in such case it shall be the duty of the assistant assessor to make such list, which, being distinctly read and assented to, shall be received as the list aforesaid of such person, and be certified as such by the said assistant assessor.

SECT. 4. *And be it further enacted*, That if any such person or agent shall deliver or disclose to any assessor any false or fraudulent list, with intent to defeat or evade the purposes of this act, such person or agent shall forfeit and pay the sum of one hundred dollars, to be recovered in any court having competent jurisdiction.

SECT. 5. *And be it further enacted*, That in case any person, whether owner or agent as aforesaid, shall be absent from his place of residence at the time an assistant assessor shall apply to receive the list of such person, it shall be the duty of such assessor to leave, at the house or place of residence of such person, a written note or memorandum, requiring him to present to such assessor the list aforesaid, within ten days from the date

of such note or memorandum; and if any person, on being notified or required as aforesaid, shall refuse or neglect to give such list as aforesaid, within such time, it shall be the duty of the said assessor to make, according to the best information which he can obtain, such lists, which lists, so made and subscribed by such assessor, shall be received as the lists aforesaid of such person; and the person so failing or neglecting, unless in case of sickness or absence from home, shall, moreover, forfeit and pay the sum of fifty dollars.

SECT. 6. *And be it further enacted,* That the several assistant assessors in each of the said collection districts shall deliver the lists aforesaid to the principal assessor, within the time prescribed by the thirteenth section of the "Act for the assessment and collection of direct taxes and internal duties,"\* passed twenty-second of July, eighteen hundred and thirteen, for the delivery of the lists therein designated: *Provided,* That if the said time be altered by any act subsequently passed, such delivery shall be within the time last prescribed therefor.

SECT. 7. *And be it further enacted,* That the respective principal assessors shall make out, according to the lists received from the assistant assessors, a general list or lists of all persons taxable as aforesaid, specifying the name of the owner or agent, the valuation of the household furniture, with the number and description of the watches as aforesaid, and the duty payable on each; which list or lists shall be made out in alphabetical order, for each county or smaller division of a collection district, as may be directed by the secretary of the treasury.

SECT. 8. *And be it further enacted,* That each of the collectors of the direct taxes and internal duties, for the collection districts aforesaid, shall, within sixty days from the day on which the principal assessor shall have received the said lists from the assistant assessors, be furnished, by the principal assessor, with one or more of the lists, prepared in conformity with the preceding section, by the principal assessor, signed and certified by him. And each collector, on receiving a list as aforesaid, shall subscribe three receipts; one of which shall be given on a full and correct copy of such list, which list and receipt shall remain with the principal assessor, and be open to the inspection of any person who may apply to inspect the same: and the other two receipts shall be given on aggregate statements of the lists aforesaid, exhibiting the gross amount of each of the aforesaid duties, to be collected in each county or state district contained in the collection district; one of which aggregate statements and receipts shall be transmitted to the commissioner of the revenue, and the other to the comptroller of the treasury.

SECT. 9. *And be it further enacted,* That each of the said collectors, or his deputies, shall, within ten days after receiving his list, agreeably to the "Act for the assessment and collection of direct taxes and internal duties,"† passed twenty-second July, eighteen hundred and thirteen, or agreeably to any act subsequently passed, or to be passed, advertise, in one newspaper printed in his collection district, if any there be, and by notifi-

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Persons notified refusing, &c. to give lists, to forfeit 50 dollars, and the assessor to make the lists, &c.

Assistant assessors to deliver the lists to the principal assessor, within the time, &c.

(\* Ante, chap. 444.)

Provide: if the time of delivery be altered, &c.

The principal assessors to make out general lists, in alphabetical order, &c.

Each collector to be furnished with one or more of the lists, within 60 days, &c.

Each collector, on receiving lists, to subscribe three receipts, &c.

The collectors to advertise that the duties have become payable, &c.  
(† Ante, ch. 444.)

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Persons who do not attend, to be applied to once, &c.

If the duties are not paid in 30 days after application, the collector to proceed by distress and sale, &c.

An account of goods distrained to be left with the owner, &c.

A notification to be posted up, &c.

Provido; the goods to be restored on payment or tender of the full amount, &c.

In case of non-payment, the officer is to proceed to sell, &c.

A commission of 5 per cent. to the officer, &c.

Provido; it is not lawful to distrain the implements of a trade, &c.

The owner, &c. of household

cations to be posted up in at least four public places in his collection district, that the said duties have become due and payable, and state the times and places at which he or they will attend to receive the same, which shall be within twenty days after such notification: and with respect to persons who shall not attend, according to such notification, it shall be the duty of each collector, in person or by deputy, to apply once at their respective dwellings within such district, and there demand the duties payable by such persons, which application shall be made within sixty days after the receipt of the said lists by the collector; and if the said duties shall not be then paid, or within twenty days thereafter, it shall be the duty of such collector and his deputies to proceed to collect the said duties by distress and sale of the goods, chattels, or effects, of the persons delinquent; and in case of such distress, it shall be the duty of the officer charged with the collection to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distress, shall be left with the owner or possessor of such goods, chattels, or effects, or at his dwelling, with a note of the sum demanded, and the time and place of sale; and the said officer shall forthwith cause a notification to be publickly posted up at two of the taverns nearest to the residence of the person whose property shall be distrained, or of his agent, or at the courthouse of the same county, if not more than ten miles distant, which notice shall specify the articles distrained, and the time or place proposed for the sale thereof; which time shall not be less than ten days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distress: *Provided*, That in any case of distress for the payment of the duties aforesaid, the goods, chattels, or effects, so distrained, shall and may be restored to the owner or possessor, if, prior to the sale thereof, payment, or tender thereof, shall be made, to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expenses of removing and keeping the goods, chattels, or effects, so distrained, as may be allowed in like cases by the laws or practice of the state or territory wherein the distress shall have been made; but in case of nonpayment, or tender, as aforesaid, the said officer shall proceed to sell the said goods, chattels, or effects, at public auction, and shall and may retain, from the proceeds of such sales, the amount demandable for the use of the United States, with the necessary and reasonable expenses of distress and sale, and a commission of five per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects, shall have been distrained, or to his agent: *Provided*, That it shall not be lawful to make distress of the tools or implements of a trade or profession, beasts of the plough necessary for the cultivation of improved lands, arms, or apparel necessary for a family.

SECT. 10. *And be it further enacted*, That it shall be the duty of every owner, or his agent, of household furniture, or watches

as aforesaid, within a collection district of any state in which said collection district lists of property shall not, under a general assessment therein, have been directed by law to be taken previously to the month of February in any year, by the assistant assessors, conformably to the act, entitled "An act for the assessment and collection of direct taxes and internal duties,"\* passed the twenty-second of July, one thousand eight hundred and thirteen, or to any act subsequently passed, to transmit, during the said month of February, in said year, to the principal assessor for the said collection district, a list in writing, stating the value of the household furniture, with the number and description of watches, owned or possessed by such person; on failure to do which, every such person, whether owner or agent, shall forfeit and pay the sum of one hundred dollars. And it shall be the duty of the principal assessor to cause a written or printed notice to be left, previous to the said month, in the year one thousand eight hundred and fifteen, at every inhabited house within the collection district, requiring every person to make out and render the lists annually as aforesaid. And it shall be the duty of the principal assessor, every year, within sixty days after the expiration of the said month, to make out, and deliver to the collector, lists in the manner prescribed by the seventh and eighth sections of this act, and of the collector, thereupon, to proceed, in all respects, as is required by the eighth and ninth sections of this act, in cases where lists as aforesaid shall have been taken by the assistant assessors, excepting so far as regards the times of paying the said duties, and of notifying and applying for the same, all of which shall be the same as those fixed in relation to the then existing direct tax becoming due.

**SECT. 11.** *And be it further enacted,* That the provisions of the preceding section of this act shall, under the penalty thereby provided, be observed in, and shall apply to, the several collection districts within the territories, or districts, wherein no direct tax is laid, excepting that the collectors therein shall perform all the duties required thereby to be performed by the principal assessors: *Provided,* That, instead of the receipt of the collector, to the lists received from the principal assessor, the collector shall affix thereto a certificate, that the same is correct, and shall lodge, with the marshal for the district, the copy of the general list, which would otherwise have remained with the principal assessor, which list shall remain with the marshal, and be open to the inspection of any person who may apply to inspect the same: *And provided,* That the times for paying the said duties in such collection district, and of notifying and applying for the same, shall be the same, relatively to the date of such certificate, as in the other collection districts they are required to be relatively to the date of the collector's receipt.

**SECT. 12.** *And be it further enacted,* That, in case any person shall be the owner of household furniture, a part of which shall be in one house and a part in another, the valuation of each part thereof shall be distinctly made.

**SECT. 13.** *And be it further enacted,* That, within the meaning of this act, household furniture shall be considered as in-

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furniture of  
watches, within  
a district in  
which, &c. to  
transmit, during  
the month of  
Feb. to the principal  
assessor, &c. a list in  
writing, &c.  
under a penalty  
of 100 dollars.  
[\* Ante, ch. 544.]

The principal  
assessor to cause  
notice to be left  
at every inhabited  
house, &c.  
requiring lists,  
&c.

The principal  
assessor, every  
year, within 60  
days, &c. to  
make out and  
deliver lists to  
the collector, &c.  
and the collector  
to proceed, &c.

The provisions  
of the preceding  
section to apply  
to the collection  
districts within  
the territories,  
&c. where no  
direct tax is  
laid, &c. except-  
ing, &c. provid-  
ed, &c.

Provido; as to  
the times for  
paying the du-  
ties, &c.

Persons owning  
furniture, part  
in one house and  
part in another,  
the valuation of  
each part is to  
be distinct, &c.

Definition of  
household furni-  
ture.

**1815.** cluding pictures, plate, clocks, and time pieces (except watches) and as excluding books, maps, and philosophical apparatus.

Objects exempted from the duties.

**SECT. 14.** *And be it further enacted,* That the objects taxed as aforesaid, which shall belong to any charitable, religious, or literary institution, or which shall belong to the United States, or any state or territory, or shall be permanently or specially exempted from taxation, at the time of the passing of this act, by the laws of the state or territory wherein the same may be situate, shall be exempted from the aforesaid valuation and specification, and from the duties aforesaid.

Who is chargeable with the duties in doubtful cases, &c.

**SECT. 15.** *And be it further enacted,* That in cases in which it may be doubtful who is chargeable with the duties aforesaid, they shall be paid by the person in whose possession the articles taxed shall have been at the time of ascertaining the said duties, except where such person or his agent cannot, at the time of collecting the same, be found within the collection district in which they were ascertained, in which case they shall be paid by the person then in possession of such articles.

Errors in collecting, &c. to be corrected as the secretary of the treasury may prescribe.

**SECT. 16.** *And be it further enacted,* That, in case any errors shall be committed in collecting, making out, or rendering, the lists aforesaid, by the assistant or principal assessors, or the collectors, the same may and shall be corrected in such way, and within such time, as shall be prescribed by the secretary of the treasury.

Collectors to give receipts for sums collected under this act, &c.

**SECT. 17.** *And be it further enacted,* That every collector shall give receipts for all sums by him collected under this act, which shall specify the value of the household furniture, with the number and description of watches, for which a duty shall have been paid.

The treasury department to prescribe the forms of lists, &c.

**SECT. 18.** *And be it further enacted,* That the forms of lists and notifications required by this act, shall be prescribed by the treasury department.

\$900 dollars forfeiture for obstructing an officer in the execution of this act.

**SECT. 19.** *And be it further enacted,* That if any person shall forcibly obstruct or hinder any officer in the execution of this act, or of any of the powers or authorities hereby vested in him, the person so offending shall forfeit and pay the sum of two hundred dollars.

Assistant assessors, for neglect, or failure in duty, forfeit not exceeding 100 dollars, and principal assessors or collectors not exceeding \$50 dollars.

**SECT. 20.** *And be it further enacted,* That any assistant assessor who shall wilfully neglect or fail to perform any of the duties herein required to be performed, shall, for every such neglect or failure, forfeit and pay a sum not exceeding one hundred dollars: and any principal assessor or collector who shall wilfully fail or neglect to perform any of the duties herein required to be performed by him, shall, for every such neglect or failure, forfeit and pay a sum not exceeding five hundred dollars.

Compensation of assessors and collectors.

**SECT. 21.** *And be it further enacted,* That, for performing the duties herein required, there shall be annually allowed and paid, to each principal assessor, at the rate of two dollars and fifty cents for every thousand persons in his collection district, according to the previous census; to each collector, in districts in which the direct tax is not laid, there shall be annually allow-

ed and paid, at the same rate; and to each assistant assessor, where the lists aforesaid shall be taken, there shall be allowed and paid, for taking the same, at the rate of five dollars for every hundred lists delivered to the principal assessor, each of which lists shall contain the several objects herein taxed; besides which there shall be allowed and paid to each principal assessor or collector, for collection districts in which lists as aforesaid, under a general assessment therein, shall not be made by the assistant assessors, five dollars for every thousand persons in his collection district, according to the previous census, for delivering the notices required to be left in the year one thousand eight hundred and fifteen, at each inhabited house: *Provided*, That no additional allowance shall be made to the said officers for any contingent expenses, other than for advertising, printing, and paper, that may be incurred by them in the discharge of the duties hereby required to be performed; for the payment of which allowances, as well as those hereinafter authorized, seventy thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, are hereby annually appropriated.

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*Provide; no additional allowance, except for advertising, printing, &c.*

*70,000 dollars annually appropriated, &c.*

SECT. 22. *And be it further enacted*, That, in cases where persons cannot be found to serve as principal or assistant assessors for the foregoing compensation, the president of the United States is hereby empowered to make an additional allowance: *Provided*, That the whole sum so allowed shall not, in any one year, exceed ten thousand dollars.

*In cases where persons cannot be found to serve, the president may make additional allowance, provided, &c.*

SECT. 23. *And be it further enacted*, That the several provisions of "An act making further provision for the collection of internal duties, and for the appointment and compensation of assessors,"\* passed the second of August, one thousand eight hundred and thirteen, shall and are hereby declared to apply in full force to the duties laid by, and to be collected under, this act, the same as if such duties and this act were recognised therein; which said duties shall be collected by the same collectors, in the same manner, for the same commissions, and under the same directions, as are thereby established in relation to the other internal duties; and all the obligations, duties, and penalties, thereby imposed upon collectors, are hereby imposed upon the collectors of the duties laid by this act.

*The act making further provision for the collection of internal duties, &c. to apply to the duties laid by this act, &c. [\* Ante, chap. 584.]*

SECT. 24. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act. And all fines, penalties, and forfeitures, which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture, shall have been incurred, by bill, plaint, or information, one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who, if a collector, shall first discover, if other than a collector, shall first inform, of the cause, matter,

*Collectors to collect the duties, and prosecute for the recovery of them, &c.*

*Fines, penalties, &c. to be recovered, in the name of the United States, &c. by bill, plaint, &c.*

*A moiety of fines, &c. to the informer, &c.*

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Where the cause of action accrues more than 50 miles from the established place for holding a district court, &c. the recovery may be had before any court of the state, &c.

or thing, whereby any such fine, penalty, or forfeiture, shall have been incurred; and where the cause of action or complaint shall arise or accrue more than fifty miles distant from the nearest place by law established for the holding of a district court, within the district in which the same shall arise or accrue, such suit and recovery may be had before any court of the state, holden within the said district, having jurisdiction in like cases.

The duties imposed by this act pledged for the payment of the public debt, &c.

SECT. 25. *And be it further enacted*, That, towards establishing an adequate revenue to provide for the payment of the expenses of government; for the punctual payment of the public debt, principal and interest, contracted and to be contracted, according to the terms of the contracts, respectively; and for creating an adequate sinking fund, gradually to reduce, and eventually to extinguish, the public debt, contracted and to be contracted; the duties laid and imposed by this act shall continue to be laid, levied, and collected, during the present war between the United States and Great Britain, and until the purposes aforesaid shall be completely accomplished. And, for the effectual application of the revenue to be raised by and from the said duties to the purposes aforesaid, in due form of law, the faith of the United States is hereby pledged: *Provided always*, That whenever congress shall deem it expedient to alter, reduce, or change, the said duties, or either of them, it shall be lawful so to do, upon providing and substituting, by law, at the same time, and for the same purposes, other duties, which shall be equally productive with the duties so altered, reduced, or changed. [Approved, January 18, 1815.]

The faith of the United States pledged for the effectual application of the revenue. *Provido*; other duties may be substituted, &c.

[\* See orig. act, of 31st March, 1814; ante, chap. 627.]

CHAP. 706. An act supplementary to the act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory."\*

The president, &c. to appoint three persons to act as a board of commissioners, under the act mentioned, in place of the secretary of state, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized, by and with the advice and consent of the senate, to appoint three fit and disinterested persons, to be and act as commissioners, by virtue of an act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory,"† in the place of the secretary of state, the secretary of the treasury, and the attorney general of the United States, for the time being; and the said persons are hereby constituted and appointed a board of commissioners, any two of whom may act as a quorum, as in and by the act aforesaid is provided. Which board is hereby declared to be intended to effect the same purposes and services as the said original board; and is, in every respect, substituted for the same; and is hereby authorized to execute all the powers granted to, and directed to perform all the duties enjoined upon, the said original board of commissioners, according to the intent and provisions of the act aforesaid.‡

[† Ante, chap. 627.]

Any two of the board to act as a quorum.

Object of the board, &c.

[‡ See act of 3d March, 1815; chap. 778, post.]

**SECT. 2.** *And be it further enacted,* That the commissioners to be appointed in pursuance of this act, shall meet at some suitable place within the district of Columbia, on the fourth Monday of January current, or as soon thereafter as may be, to enter on the duties assigned them. And that they shall proceed therein, as expeditiously as may be, and from time to time shall certify and report to the president of the United States, as to the sufficiency of the releases that shall have been made, and the claims they shall have finally adjudged and allowed, agreeably to the third section of the act to which this act is supplementary.

1815.

The commissioners to meet at a place within the district of Columbia, &c., and to proceed, certify and report, &c.

**SECT. 3.** *And be it further enacted,* That each of the said commissioners, before they proceed to execute their duties as such, shall take the following oath, or affirmation, to wit: "I, A B, do solemnly swear (or affirm) that I am not interested in the event of any decision that may be made by this board of commissioners, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member thereof: and will adjudge and determine all the matters, claims, and controversies, subject to the adjudication and determination of this board, according to the best of my abilities, agreeably to the laws of the United States, and the principles of justice and equity."

Each commissioner to take an oath.

Form of the oath.

**SECT. 4.** *And be it further enacted,* That the said board of commissioners shall have power and authority to appoint a secretary, whose duty it shall be to receive, file, and preserve, the papers, documents, and claims, that may be presented to, and received by, said board of commissioners, and to enter and record all the orders, proceedings, judgments, and determinations, of said board of commissioners. And one of said commissioners shall administer an oath to such secretary, for the faithful discharge of his duty. And there shall be allowed and paid, out of the treasury of the United States, to each of the said Commissioners, as well as to the secretary by them to be appointed, as a compensation for their respective services under this act, and in full for the same, the sum of fifteen hundred dollars.

The board may appoint a secretary; his duty, &c.

An oath to be administered to the secretary.

1,500 dollars to each commissioner and the secretary.

**SECT. 5.** *And be it further enacted,* That further time be, and hereby is, allowed to deposite in the office of the secretary of state, releases to the United States, of claims under the act, or pretended act, of the state of Georgia, passed on the seventh day of January, seventeen hundred and ninety-five, and assignments of rights or claims to moneys paid into the treasury of the state of Georgia, and power to sue therefor; and also for recording, in the office of the secretary of state, any deed or evidence of any title or claim that hath been released to the United States, or that shall be released on or before the day hereby appointed, to wit: the third Monday in March next. And so much of the act of congress, passed the third day of March, one thousand eight hundred and three, entitled "An act regulating the grants of lands of the United States south of the state of Tennessee,"\* and so much of the act to which this is supplementary,† as exclude claimants from recording their claims after the first day of

Further time allowed to deposite releases in the office of the secretary of state, &c., and for recording, &c.

So much of the acts mentioned, as excludes claimants from recording, &c., after the 1st Jan. 1804, repealed. (\* Ch. 340, vol. 3.)

(Ante, ch. 687.)



**1815.** January, one thousand eight hundred and four, be, and the same are hereby, repealed.

The commissioners empowered to determine all claims duly released, made by assignees of bankrupts, &c.

**SECT. 6.** *And be it further enacted,* That the said commissioners be, and hereby are, authorized and empowered to consider and determine all claims, that shall have been duly released to the United States, on or before the said third Monday of March, which may be made and preferred by assignees of bankrupts, or executors, or administrators on estates of deceased persons, which may be insolvent and subject to distribution among the creditors of the persons so deceased.

[Approved, January 23, 1815.]

[\* Repealed, by act of 27th Feb. 1815; ch. 746, post.]

**CHAP. 707.** An act to authorize the president of the United States to accept the services of state troops and of volunteers.\*

The president authorized to receive into the service of the United States, any corps of troops raised under the authority of a state, to serve not less than 12 months, in that of an adjoining state, &c.

Provido; the whole corps not to exceed 40,000 men; and the number apportioned to each state, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized and required to receive into the service of the United States any corps of troops which may have been, or may be, raised, organized, and officered, under the authority of any of the states, whose term of service shall not be less than twelve months, which corps, when received into the service of the United States, shall be subject to the rules and articles of war, and employed in the state raising the same, or in an adjoining state, and not elsewhere, except with the assent of the executive of the state so raising the same: *Provided,* That said corps shall not contain in the whole, exclusive of officers, more than forty thousand men; and that the number to be received in any state shall not exceed the number hereby apportioned to such state: that is to say, in New Hampshire, one thousand three hundred and eighteen. In Massachusetts, four thousand three hundred and ninety-five. In Vermont, one thousand three hundred and eighteen. In Rhode Island, four hundred and forty. In Connecticut, one thousand five hundred and forty. In New York, five thousand nine hundred and thirty-three. In New Jersey, one thousand three hundred and eighteen. In Pennsylvania, five thousand and fifty-five. In Delaware, four hundred and forty. In Maryland, one thousand nine hundred and eighty. In Virginia, five thousand and fifty-five. In North Carolina, two thousand eight hundred and fifty-eight. In South Carolina, one thousand nine hundred and eighty. In Georgia, one thousand three hundred and eighteen. In Kentucky, two thousand one hundred and ninety-six. In Ohio, one thousand three hundred and eighteen. In Tennessee, one thousand three hundred and eighteen. In Louisiana, two hundred and twenty. *And be it further provided,* That in case the president of the United States shall hereafter call on the executives of the several states, to hold in readiness their respective quotas of militia for service, he shall consider the corps of state troops, raised in any state, as part of the quota of such state,

Provido; in case of a call by the president for militia, the state corps to be considered a part of the quota.

**SECT. 2.** *And be it further enacted,* That the corps as aforesaid accepted under this act, shall be armed and equipped at the expense of the United States, and shall be entitled to the same pay, clothing, rations, forage, and emoluments of every kind, and (bounty excepted) to the same benefits and allowances as the regular troops of the United States. 1815.

The corps to be armed and equipped at the expense of the United States, &c.

**SECT. 3.** *And be it further enacted,* That the president of the United States be, and he is hereby, authorized to receive into the service of the United States, any volunteers who may offer their services, to be organized in conformity to the laws respecting the organization of the military establishment of the United States: *Provided,* That the whole number of such volunteers, who may be in service at any one time, exclusive of officers, shall not exceed forty thousand men.

The president may receive volunteers into service, &c.

Provido; the whole number of volunteers not to exceed 40,000, &c.

**SECT. 4.** *And be it further enacted,* That the officers of the said volunteers shall be commissioned by the president of the United States; and, while in actual service, the said volunteers shall be entitled to the same pay, rations, forage, and emoluments of every kind, and (bounty excepted) to the same benefits and allowances as the regular troops of the United States, and shall be subject to the rules and articles of war.

The officers of the volunteers to be commissioned by the president, &c. pay, rations, &c.

**SECT. 5.** *And be it further enacted,* That the said volunteers may, at their option, be armed and equipped by the United States, or at their own expense; and in case they arm and equip themselves, to the satisfaction of the president of the United States, they shall each be entitled to receive six and one-quarter cents per day, while in actual service, for the use and risk of such arms and equipments: *Provided,* That the compensation thus allowed shall not in any case exceed twenty-four dollars: *And provided also,* That no rifle shall be received into the service of the United States, whose calibre shall be formed to carry a ball of a smaller size than at the rate of seventy balls to a pound weight.

The volunteers may equip themselves, or be equipped, &c. and in cash, &c.

Provido; compensation for equipment not to exceed 24 dollars.

Provido; no rifle to carry a ball less than at the rate of 70 to the pound.

**SECT. 6.** *And be it further enacted,* That the said volunteers, if employed in service for a term not less than twelve months, may, at their option, be clothed at their own expense or by the United States; and in case they furnish their own clothing, they shall be entitled to receive in money a sum equal to the cost of the clothing allowed to the regular troops of the United States.

Volunteers in service not less than 12 months may be clothed at their own expense, or, &c.

**SECT. 7.** *And be it further enacted,* That whenever any non-commissioned officer, musician, or private, having served in any of the corps of state troops or volunteers, raised by virtue of this act, during two years, or who, having engaged to serve two years, shall have been discharged in consequence of the termination of the present war, shall have obtained from the commanding officer of his company, battalion, or regiment, a certificate that he had faithfully performed his duty whilst in service, he shall be allowed, in addition to the emoluments allowed in this act, one hundred and sixty acres of land: and the widow and children, and if there be no widow or child, then the parents of such noncommissioned officers, musicians, and privates, as

Noncommissioned officers, privates, &c. having served two years, or, &c. to be allowed, in addition, &c. 160 acres of land, &c.

The widows and children, or parents, of those

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who are killed  
or die in ser-  
vice, entitled to  
the land, &c.

may have engaged for a term of service not less than two years, and who may be killed in action or die in the service, shall likewise be allowed the said quantity of one hundred and sixty acres of land, which shall be surveyed and granted in the manner provided by the act, entitled "An act to provide for the designating, surveying, and granting, the military bounty lands."\*

[\* Ante, ch. 400.]

The appoint-  
ment of officers  
of the volun-  
teers, if, &c. to  
be submitted to  
the senate, &c.

SECT. 8. *And be it further enacted*, That the appointment of the officers of the said volunteers, if received into the service of the United States for the term of twelve months, or for a longer term, shall be submitted to the senate for their advice and consent, at their next session, after commissions for the same shall have been issued.

If the states do  
not furnish  
40,000 men, the  
president may  
supply the defi-  
ciency by ac-  
cepting volun-  
teers; provided,  
&c.

SECT. 9. *And be it further enacted*, That, if the whole number of forty thousand men, authorized by the first section of this act, shall not be furnished by the states, it shall be lawful for the president of the United States to supply the deficiency, by accepting the services of volunteers to the number of such deficiency: *Provided*, That the whole number of state troops and volunteers together, accepted under the provisions of this act, shall not exceed eighty thousand men.

The expenses  
under this act  
to be defrayed  
out of the ap-  
propriations for  
calling out the  
militia, &c.

SECT. 10. *And be it further enacted*, That the expenses incurred under this act, shall be defrayed out of the appropriations which are, or which may be, authorized, for defraying the expense of calling out the militia for the defence of the United States.

[Approved, January 27, 1815.]

[† Private and  
obsolete.]

CHAP. 708. An act for the relief of William Robinson and others.†

The proper ac-  
counting officers  
of the war de-  
partment di-  
rected to audit  
and settle the  
claims of Wil-  
liam Robinson,  
&c. on account  
of damages done  
to their prop-  
erty by a detach-  
ment of troops,  
&c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the proper accounting officers of the war department be, and they are hereby, directed to audit and settle the claims of William Robinson, William White, Samuel Mosely, Edward Giddons, John Brown, Moses Brown, John Gordon, Joseph Baker, Robert Ballowé, and Moses Gordon, on account of damages done to their property, by a detachment of troops of the United States, under an order from the war department, which claims are hereby authorized to be settled upon such terms, and in such manner, as may embrace the justice of their case.

The amount of  
damages to be  
paid, &c. upon  
the claimants  
releasing, &c.

SECT. 2. *And be it further enacted*, That the amount thereof, when settled and ascertained, shall be paid to the said claimants, severally, or their lawful agents, out of any money in the treasury, not otherwise appropriated, upon such claimant releasing to the United States all claims which he or they may have against the government, or any of its officers, in consequence of the damage aforesaid. [Approved, January 28, 1815.]

CHAP. 709. An act to authorize the purchase of the library of Thomas Jefferson, late president of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That

the secretary of the treasury be, and he is hereby, authorized and directed to cause to be paid to the joint library committee of congress, or their order, the sum of twenty-three thousand nine hundred and fifty dollars, in treasury notes of the issue ordered by the law of the fourth of March, one thousand eight hundred and fourteen; to be by them applied to the purchase of the library of Thomas Jefferson, late president of the United States, for the use of congress.

[Approved, January 30, 1815.]

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The secretary of the treasury directed to cause to be paid to the joint library committee of congress, &c. 23,950 dolls. in treasury notes, to be applied to the purchase of the library of Thomas Jefferson, &c.

CHAP. 710. An act for the relief of Farrington Barkelow, administrator of Mary Rappleyea.\*

(\* Private and obsolete.)

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the treasury be, and they are hereby, authorized and directed to ascertain, agreeably to the provisions of the laws heretofore in existence on that subject, the amount due Farrington Barkelow, administrator of the estate and effects of Mary Rappleyea, on two loan office certificates, issued to Mary Rappleyea from the loan office of New Jersey, both dated the eighth of June, one thousand seven hundred and seventy-eight, the one numbered one thousand five hundred and sixty-four, for six hundred dollars, the other, two hundred and ninety-four, for five hundred dollars, with such interest as still remains due thereon, and that the amount which shall be found to be due be paid to the said Farrington Barkelow, as administrator as aforesaid, to be distributed according to law.

The accounting officers of the treasury directed to ascertain, &c. the amount due Farrington Barkelow, administrator of Mary Rappleyea, on two loan office certificates, &c.

The amount due to be paid to Farrington Barkelow, &c.

[Approved, February 2, 1815.]

CHAP. 711. An act for the relief of William Arnold.†

(† Private and obsolete.)

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the accounting officers of the treasury be, and they are hereby, authorized and directed to ascertain, agreeably to the provisions of the laws heretofore in existence on that subject, the amount due William Arnold, on a loan office certificate, numbered twelve hundred and sixty-seven, which issued from the loan office of Massachusetts, for six hundred dollars, on the twenty-fifth of October, one thousand seven hundred and seventy-seven, payable to Christopher Clark, with interest thereon from the first of January, one thousand seven hundred and eighty-three, to which time the interest has been paid; and that the amount which shall be found to be due, be paid to the said William Arnold, out of any money in the treasury, not otherwise appropriated.

The accounting officers of the treasury directed to ascertain, &c. the amount due William Arnold on a loan office certificate, &c.

The amount due to be paid to William Arnold, &c.

[Approved, February 2, 1815.]

1815.

## CHAP. 712. An act for the relief of James Brahany.\*

[\* Private.]

James Brahany, confined at the suit of the United States, for the penalty incurred for selling spirituous liquor without license, &c. to be discharged, &c.

Proviso; present and future property liable, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That James Brahany, of the city of Baltimore, now, and for a long time past, confined in gaol, at the suit of the United States, for the penalty incurred for selling spirituous liquor without license, which he is wholly unable to pay, be henceforth discharged, and remain free from imprisonment and arrest, for and on account of the said penalty, and the judgment, suit, costs, and charges, touching the same: Provided always, That all property which the said James Brahany may now have, or hereafter may have or acquire, shall be and remain liable for the payment of the said penalty, the judgment, charges, and costs, of suit thereon, in the same manner as if this act had never been passed. [Approved, February 2, 1815.]*

## CHAP. 713. An act to prohibit intercourse with the enemy, and for other purposes.†

[† Expired.]

Collectors, &c. may enter on board any vessel, &c. in adjoining districts, and search for and seize goods subject to duty, the payment of which is intended to be evaded, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That it shall be lawful for any collector, naval officer, surveyor, or inspector of the customs, as well in an adjoining district as that to which he belongs, to enter on board, search, and examine, any ship, vessel, boat, or raft, and if he shall find on board the same any goods, wares, or merchandise, which he shall have probable cause to believe are subject to duty, the payment of which is intended to be evaded, or have been imported into the United States in any manner contrary to law, it shall be his duty to seize and secure the same for trial.*

Collectors, &c. may stop and search any carriage or person, on which he may suspect there are goods, &c. subject to duty, &c.

SECT. 2. *And be it further enacted, That it shall be lawful for any collector, naval officer, surveyor, or inspector of the customs, as well in any adjoining district, as that to which he belongs, to stop, search, and examine, any carriage or vehicle of any kind whatsoever, and to stop any person travelling on foot, or beast of burden, on which he shall suspect there are any goods, wares, or merchandise, which are subject to duty, or which shall have been introduced into the United States in any manner contrary to law; and if such officer shall find any goods, wares, or merchandise, on any such carriage, vehicle, person travelling on foot, or beast of burden, which he shall have probable cause to believe are subject to duty, or have been unlawfully introduced into the United States, he shall seize and secure the same for trial. And if any of the said officers of the customs shall suspect that any goods, wares, or merchandise, which are subject to duty, or which shall have been introduced into the United States contrary to law, are concealed in any particular dwelling house, store, or other building, he shall, upon proper application, on oath,‡ to any judge or justice of the peace, be entitled to a warrant, directed to such officer, who is hereby authorized to serve the same, to enter such house, store, or other*

If the officer finds any goods, &c. he is to seize them, &c.

If officers of the customs suspect that goods subject to duty are concealed in a dwelling house, &c. they may, on application, on oath, &c. enter in the day time, and search, &c. seize, &c. [§ See the const. amendments, art. 4. p. 72, vol. 1.]

building, in the day time only, and there to search and examine whether there are any such goods, wares, or merchandise, which are subject to duty, or have been unlawfully imported; and if, on such search or examination, any such goods, wares, or merchandise, shall be found, which there shall be probable cause, for the officer making such search or examination, to believe are subject to duty, or have been unlawfully introduced into the United States, he shall seize and secure the same for trial.

SECT. 3. *And be it further enacted*, That if any citizen or citizens of the United States, or any person or persons inhabiting the same, shall transport, or attempt to transport, over land, or by water, in whatsoever way, or by whatsoever means, naval or military stores, arms, or munitions of war, cattle, live stock, any articles of provisions, cotton, tobacco, goods, money, or supplies of any kind, from any place in the United States, to any of the provinces or territory belonging to the enemy, or of which they may be in possession, such naval or military stores, arms, or the munitions of war, cattle, live stock, articles of provisions, cotton, tobacco, goods, money, or other supplies, together with the carriage or wagon, cart, sleigh, vessel, boat, raft, or vehicle, of whatsoever kind, or horse, or other beast, by which they, or any of them, are transported, or attempted to be transported, shall be forfeited to the use of the United States, and the person or persons so offending, or aiding or privy to the same, shall forfeit and pay, to the use of the United States, a sum equal in value to the said enumerated articles, or other supplies, forfeited as aforesaid, as well as of the carriage, wagon, cart, sleigh, vessel, boat, raft, or other vehicle, or beast used to transport the same; and the said citizens and persons so offending, their aiders and abettors, and also the owner or owners, of any of the said enumerated articles, or other supplies, knowing of such illegal act, and the owner or owners of the carriage, wagon, cart, sleigh, vessel, boat, raft, or other vehicle, or beast, used with his, or her, or their, knowledge and consent, to transport the same, shall, moreover, be considered as guilty of a misdemeanor, and be liable to be fined, in any sum not exceeding one thousand dollars, and imprisoned for a term not exceeding three years: *Provided*, That nothing herein shall be construed to prohibit any transportation, for the use or account of the United States, or any of them, or the supply of their troops or armies, wheresoever they may be.

SECT. 4. *And be it further enacted*, That every collector, naval officer, surveyor, and inspector of the customs, shall, on probable cause, have full power and authority to seize, stop, search for, detain, and keep in custody, until it shall have been ascertained whether the same shall have been forfeited or not, all naval or military stores, arms, or the munitions of war, cattle, live stock, articles of provisions, cotton, tobacco, goods, money, or other supplies, transported, or attempted to be transported, contrary to the provisions of the next preceding section of this act, as well as the carriage, wagon, cart, sleigh, vessel, boat, raft, or other vehicle or vehicles, beast or beasts, used to

Munitions of war, cattle, &c. attempted to be transported to the enemy's territory, together with the vehicle, &c. conveying them, are forfeited, and the persons offending to pay a sum equal to the value, &c.

Persons offending, &c. liable to fine and imprisonment.

Provide; nothing herein to prohibit any transportation on account of the United States, &c.

Officers of the customs empowered to seize and detain prohibited articles, &c. until it is ascertained whether they are forfeited or not, &c.

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Authorized officers having probable cause to suspect concealment, may, on application, oath, &c. enter any dwelling house, &c. and search, seize, detain, &c.

Judges, &c. to hold to bail, &c.

Extent of the authority to bind to good behavior, &c.

Proviso: the necessity of a search warrant under this act, not applicable to any carriage, sleigh, &c.

Proviso: articles seized to remain in the custody of the collector, &c.

Collectors of the customs, with the approbation, &c. may employ persons as inspectors, &c. who are to take an oath, &c.

Form of the oath.

transport the same. And if the officers authorized as aforesaid, or any of them, shall have probable cause to suspect a concealment in any particular dwelling house, store, or building, of any naval or military stores, arms, or munitions of war, cattle, live stock, articles of provisions, cotton, tobacco, goods, money, or other supplies, with intent to be conveyed or transported, contrary to the provisions of the next preceding section of this act, they, or either of them, shall, upon proper application, supported by oath or affirmation, to any judge or justice of the peace, be entitled to a warrant, directed to such officer, who is hereby authorized to serve the same, to enter such dwelling house, store, or other building, in day time only, and there to search for such said enumerated articles or other supplies, as aforesaid; and in case any be found, to seize, detain, and keep in custody, until it shall have been ascertained whether the same have been forfeited or not; and if such unlawful intent exist, as aforesaid, any judge or justice, acting upon probable cause, as aforesaid, is hereby authorized and required, on the owner or owners of such enumerated articles, or other supplies, being brought, on due process, before him, to hold him or them to security in a sufficient sum, with sufficient bail for his or their good behavior, as a person or persons suspected, upon probable cause, as aforesaid, of carrying on trade or intercourse with the enemy; the said authority to bind to good behavior, to extend also to the persons having the custody or charge of such prohibited articles or other supplies, with knowledge of the criminal intention to transport them as aforesaid: *Provided always*, That the necessity of a search warrant, arising under this act, shall in no case be considered as applicable to any carriage, wagon, cart, sleigh, vessel, boat, or other vehicle, of whatever form or construction, employed as a medium of transportation, or to packages, on any animal or animals, or carried by man on foot. *And provided also*, That all the said enumerated articles or other supplies, which shall be seized by virtue of this act, shall be put into, and remain in, the custody of the collector, or such other person as he shall appoint for that purpose, until it shall have been ascertained whether the same have been forfeited or not.

SECT. 5. *And be it further enacted*, That every collector of the customs shall have authority, with the approbation of the principal officer of the treasury department, to employ, within his district, such number of proper persons, as inspectors of the customs, as he shall judge necessary, who are hereby declared to be officers of the customs; and the said inspectors, before they enter on the duties of their offices, shall take and subscribe, before the collectors appointing them, or before some magistrate, within their respective districts, authorized by law to administer oaths, the following oath or affirmation, to wit: " I — — —, having been appointed an inspector of the customs, within and for the district of — — —, do solemnly, sincerely, and truly, swear or affirm, (as the case may be,) that I will diligently and faithfully execute the duties of the said office of inspector, and will use my best endeavors to prevent and detect frauds

*and violations against the laws of the United States; I further swear, or affirm, that I will support the constitution of the United States."*

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**SECT. 6.** *And be it further enacted,* That any collector, naval officer, surveyor, or inspector, when proceeding to make any search or seizure authorized by this act, shall be, and is hereby, empowered to command any person who shall be within ten miles of the place where such search or seizure shall be made, to aid and assist such officer in the discharge and performance of his duty therein; and if any person, being so commanded, shall neglect or refuse to aid and assist such officer in making such search or seizure, the person so neglecting or refusing shall forfeit and pay a sum not exceeding two hundred dollars, and not less than fifty dollars. And such officer may also demand, in cases of resistance, the assistance of the marshal of the district, or any of his deputies, who shall call upon the posse of the district, if necessary, in his or their judgment, to render effectual the execution of this act; and all citizens or inhabitants of the district above the age of eighteen years, and able to travel, who refuse or neglect, on proper notice from the marshal, or any of his deputies, to join such posse, shall be considered guilty of a misdemeanor, and be liable to be fined, in any sum not exceeding three hundred dollars, and be imprisoned, for any term not exceeding three months.

Collectors, &c. may summon persons within 10 miles to aid, &c.

Persons refusing to aid in search or seizure, &c. to forfeit from 50 to 200 dollars.

The marshal and posse to assist, &c.

Persons refusing to join the posse, subject to fine and imprisonment.

**SECT. 7.** *And be it further enacted,* That the forfeitures and penalties mentioned in this act shall be sued for, prosecuted, and recovered, or inflicted, by action of debt, or by information or indictment, in any court competent to take cognizance thereof and try the same; and that all forfeitures and penalties, so recovered, by virtue of this act, shall, after deducting all proper costs and charges, be disposed of as follows: one moiety shall be for the use of the United States, and be paid into the treasury thereof, by the collector recovering the same; the other moiety shall be divided between, and paid in equal proportions to, the collector and naval officer of the district, and surveyor of the port, wherein the same shall have been incurred, or to such of the said officers as there may be in the said district; and in districts where only one of the aforesaid offices shall have been established, the said moiety shall be given to such officer: *Provided,* That where the seizure shall have been made by any inspector or inspectors, out of the presence of the collector, naval officer, or surveyor, such inspector or inspectors shall be entitled, in addition to such other compensation as may be allowed them, to twenty-five per cent. on the moiety herein given to the collector, naval officer, and surveyor, as aforesaid, or to either of them: *And provided also,* That in all cases where such penalties and forfeitures shall be recovered, in pursuance of information given to such collector, naval officer, or surveyor, by any private informer, the one-half of such moiety shall be given to such informer, and the remainder thereof shall be disposed of between the collector, naval officer, and surveyor, in manner aforesaid, and the same allowance of twenty-five per cent. to

Forfeitures, &c. to be sued for by action of debt, &c.

Distribution of forfeitures and penalties.

Proviso; where seizures are made by inspectors out of the presence of the collector, &c. 25 per cent. additional allowance, &c.

Proviso; half a moiety to private informers, &c.



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Proviso; when the value of the property seized is less than \$50 dollars, the costs to be defrayed out of the part accruing to the public; and any person entitled to a share may be a witness, but thereby lose his part, &c.

Suits or prosecutions commenced against any officer, in a state court, for any thing done in virtue of this act, &c. may be removed, by the defendant, on petition, surety, &c.

The state court to accept the surety and proceed no further, &c.  
The cause to proceed in the court of the United States, &c.

Any attachment by the original process, to hold the goods to answer, &c.

Appeal from state courts to circuit courts of the United States, &c.

SECT. 8. *And be it further enacted*, That if any suit or prosecution be commenced in any state court, against any collector, naval officer, surveyor, inspector, or any other officer, civil or military, or any other person aiding or assisting, agreeable to the provisions of this act, or under color thereof, for any thing done, or omitted to be done, as an officer of the customs, or for any thing done by virtue of this act, or under color thereof, and the defendant shall, at the time of entering his appearance in such court, file a petition for the removal of the cause for trial at the next circuit court of the United States to be holden in the district where the suit is pending, and offer good and sufficient surety for his entering in such court, on the first day of its session, copies of said process against him, and also for his there appearing at the court and entering special bail in the cause, if special bail was originally required therein, it shall then be the duty of the state court to accept the surety, and proceed no further in the cause, and the bail that shall have been originally taken shall be discharged; and such copies being entered as aforesaid in such court of the United States, the cause shall there proceed in the same manner as if it had been brought there by original process, whatever may be the amount of the sum in dispute, or damages claimed, or whatever the citizenship of the parties, any former law to the contrary notwithstanding: and any attachment of the goods or estate of the defendant, by the original process, shall hold the goods or estate so attached to answer the final judgment, in the same manner as by the laws of such state they would have been holden to answer final judgment, had it been rendered by the court in which the suit was commenced. And it shall be lawful, in any action or prosecution which may be now pending, or hereafter commenced, before any state court whatever, for any thing done, or omitted to be done, by the defendant, as an inspector or other officer of the customs, after final judgment, for either party to remove and transfer, by appeal, such decision, during the session or term of said court, at which the same shall have taken place, from such court to the next circuit court of the United States, to be held in the district in which such appeal shall be taken in manner aforesaid; and it shall be the duty of the person taking such appeal, to produce

and enter in the said circuit court attested copies of the process, proceedings, and judgment, in such cause; and it shall also be competent for either party, within six months of the rendition of a judgment in any such cause, by writ of error, or other process, to remove the same to the circuit court of the United States of that district in which such judgment shall have been rendered, and the said circuit court shall thereupon proceed to try and determine the facts and the law in such action, in the same manner as if the same had been there originally commenced; the judgment in such case notwithstanding. And any bail which may have been taken, or property attached, shall be holden on the final judgment of the said circuit court in such action, in the same manner as if no such removal and transfer had been made as aforesaid; and the state court from which any such action may be removed and transferred as aforesaid, upon the party's giving good and sufficient security for the prosecution thereof, shall allow the same to be removed and transferred, and proceed no further in the case: *Provided, however,* That if the party aforesaid shall fail duly to enter the removal and transfer as aforesaid in the circuit court, agreeable to this act, the state court, by which judgment shall have been rendered, and from which the transfer and removal shall have been made as aforesaid, shall be authorized, on motion for that purpose, to issue execution, and to carry into effect any such judgment, the same as if no such removal and transfer had been made: *Provided, nevertheless,* That this act shall not be construed to apply to any prosecution for an offence involving corporal punishment. *And provided also,* That no such appeal shall be allowed in any criminal action or prosecution, where final judgment shall have been rendered in favor of the defendant, or respondent, by the state court; and in any action or prosecution against any person as aforesaid, it shall be lawful for such person to plead the general issue, and give this act and any special matter in evidence. And if, in any such suit, the plaintiff is nonsuit, or judgment pass against him, the defendant shall recover double costs.

SECT. 9. *And be it further enacted,* That in any suit or prosecution against any person, for any act or thing done as an officer of the customs, or any person aiding or assisting such officer therein, and judgment shall be given against the defendant or respondent, if it shall appear to the court, before which such suit or prosecution shall be tried, that there was probable cause for doing such act or thing, such court shall order a proper certificate or entry to be made thereof, and in such case the defendant or respondent shall not be liable for costs, nor shall he be liable to execution, or to any action for damages, or to any other mode of prosecution for the act done by him as aforesaid: *Provided,* That such property or articles as may be held in custody by the defendant, if any, be, after judgment, forthwith returned to the claimant or claimants, his, her, or their, agent or agents.

SECT. 10. *And be it further enacted,* That no citizen, or person usually residing within the United States, shall be permitted to cross the frontier into any of the provinces or territory belonging to the enemy, or of which he may be possessed, without a

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either party,  
within six  
months, &c.  
may remove a  
cause, &c.

The circuit  
court, on re-  
moval of a  
cause, to deter-  
mine the facts  
and the law, &c.

*Provido;* if the  
party fails to  
enter the re-  
moval, &c. in  
the circuit court,  
&c. the state  
court may is-  
sue execution,  
&c.

*Provido;* this act  
not to apply to  
prosecutions in-  
volving corpor-  
al punishment.  
*Provido;* no ap-  
peal in a crimi-  
nal action  
where final  
judgment is for  
the defendant,  
&c.

The general is-  
sue; this act in  
evidence, &c.  
Double costs for  
defendant.

In prosecutions  
against officers  
of the customs,  
&c. it appear-  
ing to the court  
there was prob-  
able cause, a  
certificate to be  
made, and the  
defendant not  
liable. &c. pro-  
vided, &c.

No citizen, &c.  
permitted to  
pass the fron-  
tier without a  
passport, &c.

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No citizen, &c., permitted to go on board vessels of the enemy, without a passport, &c.

Fine and imprisonment for proceeding without a passport.

Persons coming from the enemy's territory to report themselves, on pain of fine and imprisonment.

Persons hovering on the frontier, &c., without a passport, &c., may be held to security for good behavior, &c.

Provided nothing in this act to alter the law of treason.

The president, &c., may employ the land and naval forces, and the militia, for aiding the officers of the customs, &c.

passport first obtained from the secretary of state, the secretary of war, or other officer, civil or military, authorized by the president of the United States, to grant the same, or from the governor of a state or territory; nor shall any citizen, or person residing as aforesaid, of his own accord, upon any pretence whatsoever, be permitted, without such passport, to go on board of any of the ships, or vessels, or boats, of the enemy, on the lakes, along the seaboard, or elsewhere within the bays, sounds, rivers, or waters, of the United States, or to hold any intercourse with such enemy, or with any officer thereof; nor shall any citizen, or person residing as aforesaid, be permitted, without such passport, to visit or go to any camp of the enemy established within the limits of the United States, or elsewhere, or to hold any intercourse with the same, or with any officer belonging thereto; and whosoever shall voluntarily offend against any of the prohibitions aforesaid, mentioned in this section, shall be considered guilty of a misdemeanor, and be liable to be fined in any sum not exceeding one thousand dollars, and to imprisonment for any term not exceeding three years. And every person coming from any of the enemy's provinces or territory, into the United States, shall report himself forthwith, or as soon as practicable thereafter, to the military commander, or to the collector, or other chief officer of the customs, where there may be no collector, of the district within which he may first arrive, upon pain, wherever the same is omitted, of being liable to the same prosecution and punishment, as is above provided in cases of unlawful intercourse with the enemy, without the authority of a passport.

SECT. 11. *And be it further enacted*, That any person or persons found hovering upon the frontier, near any of the provinces or territory belonging to the enemy, or of which he may be possessed, or travelling towards and near the same, at a distance from his or their usual place of abode or residence, and without any lawful business requiring his or their attendance there, and without a passport, shall be liable to be held to security for his or their good behavior, in the manner pointed out in the fourth section of this act, as a person or persons suspected, upon probable cause, of being engaged in unlawful trade or intercourse with the enemy: *Provided always*, That nothing contained in any part of this act shall be construed to alter, in any respect, the law of treason.

SECT. 12. *And be it further enacted*, That it shall be lawful for the president of the United States, or such other person as he shall have empowered for that purpose, to employ, under proper instructions, to be by him given, in cases of resistance, such part of the land and naval forces of the United States, or of the militia thereof, as shall be judged necessary, for the purpose of aiding and co-operating with the officers of the customs, and all other civil magistrates, in seizing and securing persons engaged, or suspected, upon probable cause as aforesaid, to be engaged, in unlawful trade or intercourse with the enemy as aforesaid, together with the articles or supplies, or vessels, boats, vehicles, or animals, employed as aforesaid, in such trade or in-

tercourse, and searching for and seizing any property subject to duty, or which has been unlawfully imported. 1815.

SECT. 13. *And be it further enacted*, That this act shall continue in force during the continuance of the present war between the United States and Great Britain, and no longer: *Provided*, That the termination of said war shall not be construed to stop or annul any proceedings that may theretofore have been commenced, or concluded, or in any way destroy or impair any rights or privileges accruing under, secured, or given, by virtue of this act, but as applicable to any transaction prior thereto, the same proceedings shall and may be had as though this act were in full force. [*Approved, February 4, 1815.*]

This act limited to the 17th Feb. 1815.

Provido; the termination of the war not to stop proceedings theretofore commenced, &c.

CHAP. 714. An act supplementary to the act, entitled "An act to amend the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, and for other purposes."\*

[\* See orig. act, of 18th April, 1814; ante, chap. 679.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the fourth section of the act, entitled "An act to amend the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, and for other purposes,"† shall be construed to extend to and include any still, boiler, or other vessel, used in distillation, burnt or otherwise destroyed, whether the burning or destruction shall have taken place before or since the passage of the above recited act.

The 4th sec. of the act mentioned to include any still, &c. burnt or otherwise destroyed before or since the passage of the act. [† Ante, ch. 679.]

[*Approved, February 4, 1815.*]

CHAP. 715. An act attaching to the Canton district, in the state of Ohio, the tract of land lying between the foot of the rapids of the Miami of lake Erie and the Connecticut western reserve.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all that tract of land lying between the foot of the rapids of the river Miami of lake Erie and the western line of the Connecticut reserve, in the state of Ohio, which was ceded to the United States, by certain tribes of Indians, at a treaty concluded at Brownstown, in the Michigan territory, on the twenty-fifth day of November, one thousand eight hundred and eight,‡ shall be attached to, and made a part of, the district of Canton.

The tract of land described, attached to the district of Canton.

[‡ See page 417. vol. I.]

SECT. 2. *And be it further enacted*, That in surveying and dividing the lands by this act attached to the district of Canton, the ordinary mode of surveying the public lands shall be so far deviated from, that the boundary lines of the tracts to be laid off therein shall be run parallel to, and at right angles with, the road laid out in conformity with the said treaty, and in every other respect the surveys shall be made in the same manner, and for the same compensation allowed for the surveying, the other public lands northwest of the river Ohio.

In surveying, &c. the lands described, the ordinary mode to be deviated from, so far, &c.

SECT. 3. *And be it further enacted*, That all the lands by this act attached to the district of Canton, shall be offered for sale to the highest bidder, under the direction of the register of

The lands to be offered to the highest bidder, &c. as the pre-

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agent may designate by proclamation; the sales to remain open one week, &c.

Lands remaining unsold, may be disposed of at private sale, &c.

Patents, &c.

4 dolls. to register and receiver for each day's attendance, &c.

the land office and the receiver of public moneys of the said district, at such time and place as the president of the United States shall designate by proclamation for that purpose; and the sales shall remain open one week, and no longer; and the said lands shall, in every respect, be sold on the same terms and conditions as have been provided for the sale of other lands of the United States. All the lands in the said tract, remaining unsold at the close of the said sales, may be disposed of at private sale by the register of the land office of the said district, on the same terms and conditions as are provided for the sale of other public lands in the same district; and patents shall be obtained in the same manner as in case of other lands of the United States.

SECT. 4. *And be it further enacted*, That the aforesaid register and receiver of public moneys shall, each, receive four dollars per day for each day's attendance on the public sales directed by this act. [*Approved, February 4, 1815.*]

CHAP. 716. An act for giving further time to the purchasers of public lands to complete their payments.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That every person who, after the first day of April, one thousand eight hundred and ten, and prior to the first day of April, one thousand eight hundred and eleven, had purchased any tract or tracts of land of the United States, not exceeding in the whole six hundred and forty acres, at any of the land offices of the United States, and whose lands have not already been actually sold or reverted to the United States, for nonpayment of part of the purchase money, shall be, and they hereby are, allowed the further time of three years, from and after the expiration of the period already given by law,\* for completing the payment of the purchase money aforesaid; which further time of three years shall be allowed only on the following conditions: first, all arrears of interest on the purchase money shall be paid on or before the expiration of the time for completing the payment of the purchase money according to former laws: *Provided*, That in all cases in which the time for completing the payment of the purchase money may have expired, or shall expire, before the first day of June next, the interest may be paid on or before that day: second, the residue of the sum due on account of the principal of such purchase shall be paid, with interest thereon, in three equal annual payments, as follows, viz: one-third of the said sum, with the interest due thereon, within one year; one-third of the said sum, with the interest due thereon, within two years; and the residue, with the interest due thereon, within three years, after the expiration of the time for completing the payments on such purchases according to law. And in case of failure to pay the arrears of interest, or any of the three instalments of principal, with the accruing interest, at the time abovementioned, the tract of land shall be forthwith advertised and offered for sale, in the manner

Persons who, after the 1st April, 1810, and prior to the 1st April, 1811, had purchased not exceeding 640 acres, and whose lands have not been sold or reverted, &c. allowed the further time of three years, &c. for completing payment, &c.

[\*See ante, ch. 602.]

Conditions, &c.  
1. Arrears of interest to be paid, &c.

*Provided*; as to the payment of interest on or before the 1st June, 1815.

2. The residue of the sum due, &c. to be paid, with interest, in three equal annual payments, &c.

In case of failure to pay, &c. the land to be advertised and offered for sale, &c.

and on the terms directed by law in case of lands not paid within the time limited by law, and shall revert to the United States in like manner, if the same is not sold at such sale.

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[Approved, February 4, 1815.]

CHAP. 717. An act to alter and amend the several acts for establishing a navy department, by adding thereto a board of commissioners.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized, by and with the advice and consent of the senate, to appoint three officers of the navy, whose rank shall not be below a post captain, who shall constitute a board of commissioners for the navy of the United States; and shall have power to adopt such rules and regulations for the government of their meetings as they may judge expedient: and the board so constituted, shall be attached to the office of the secretary of the navy, and, under his superintendence, shall discharge all the ministerial duties of said office, relative to the procurement of naval stores and materials, and the construction, armament, equipment, and employment, of vessels of war, as well as all other matters connected with the naval establishment of the United States. And the said board shall appoint their own secretary, who shall receive, in compensation for his services, a sum not exceeding two thousand dollars per annum, who shall keep a fair record of their proceedings, subject at all times to the inspection of the president of the United States, and the secretary of the navy.\*

The president, &c. to appoint three navy officers, &c. who are to constitute a board of commissioners for the navy, &c.

Powers and duties of the board.

The board to appoint their secretary: his salary not to exceed 2,000 dolls. per annum, &c.

[\* See chap. 774; post.]

SECT. 2. *And be it further enacted,* That the said board of commissioners, by and with the consent of the secretary of the navy, be, and are hereby, authorized to prepare such rules and regulations as shall be necessary for securing an uniformity in the several classes of vessels and their equipments, and for repairing and refitting them, and for securing responsibility in the subordinate officers and agents; which regulations, when approved by the president of the United States, shall be respected and obeyed, until altered and revoked by the same authority, and the said rules and regulations thus prepared and approved, shall be laid before congress at their next session. It shall also be the duty of said board, upon the requisition of the secretary of the navy, to furnish all the estimates of expenditure which the several branches of the service may require, and such other information and statements as he may deem necessary.

The board, &c. to prepare rules and regulations for securing uniformity in the several classes of vessels, &c.

The board to furnish estimates, &c.

SECT. 3. *And be it further enacted,* That the officer of the said board holding the oldest commission shall preside, and each commissioner shall be entitled to receive, in compensation for his services, three thousand five hundred dollars per annum, in lieu of wages, rations, and other emoluments, as naval officers; and all letters and packets to and from the said commissioners, which relate to their official duties, shall be free from postage.

The officer holding the oldest commission to preside; and each commissioner to receive 3,500 dolls. per ann.

Letters, &c. free.

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Nothing in this act to take from the secretary his control, &c. of the naval forces.

SECT. 4. *And be it further enacted*, That nothing in this act shall be construed to take from the secretary of the navy his control and direction of the naval forces of the United States, as now by law possessed. [Approved, February 7, 1815.]

CHAP. 718. An act to extend the time of Oliver Evans's patent for his improvement on steam engines.\*

[\* Private.]

The patent rights of Oliver Evans, for his improvements on steam engines, extended to the year 1825, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That all the rights and privileges of Oliver Evans, under a patent issued from the department of state, on the fourteenth day of February, one thousand eight hundred and four, for his improvements on steam engines, be, and hereby are, extended to the said Oliver Evans, his heirs, administrators, or assigns, for and during the term of seven years, to commence from, and immediately after, the expiration of the term of fourteen years, granted by said patent as aforesaid, subject to all the provisions of the act, entitled "An act to promote the progress of the useful arts, and to repeal the act heretofore made for that purpose,"† excepting so far as regards the extension of the term of his said patent herein authorized: *Provided*, That it shall not be lawful for the said Oliver Evans, his heirs, administrators, or assigns, to charge or receive from any person or persons a greater sum for the privilege of constructing or using his said improvements on steam engines, during the term for which said patent is hereby extended, than he has hitherto charged and received for a like privilege under his said patent, as now in force. [Approved, February 7, 1815.]

[† Chap. 186, vol. 9.]  
Provided, Oliver Evans not to charge a greater sum for the privilege than heretofore.

CHAP. 719. An act concerning Weston Jenkins, and others.‡

[‡ Private.]

The judge of the district court for Massachusetts required to distribute to Weston Jenkins, &c. the proceeds arising from the capture of the British private armed schooner Retaliation, which are held to the United States, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the judge of the district court for the state of Massachusetts be, and he is hereby, authorized and required to distribute among Weston Jenkins, his officers and crew, of the sloop Two Friends, which captured the British private armed schooner Retaliation, in the month of October last, the proceeds arising from the said capture, which are held to the United States as droits of admiralty; and that the said distribution be made by the said judge, agreeably to the laws of the United States relating to captures made by the private armed ships of the United States.

[Approved, February 7, 1815.]

CHAP. 720. An act for the better regulation of the ordnance department.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That

from and after the passage of this act, the ordnance department shall consist of one colonel, one lieutenant colonel, two majors, ten captains, ten first lieutenants, ten second lieutenants, and ten third lieutenants. 1815.

The ordnance department to consist of one colonel, &c. &c.

SECT. 2. *And be it further enacted,* That the colonel, or senior officer of the ordnance department, is authorized to enlist, for the service of that department, for five years, as many master armorers, master carriage makers, master blacksmiths, artificers, armorers, carriage makers, blacksmiths, and laborers, as the public service, in his judgment, under the directions of the secretary for the department of war, may require.

The colonel, &c. to enlist, for 5 years, master armorers, master carriage makers, &c.

SECT. 3. *And be it further enacted,* That it shall be the duty of the colonel of the ordnance department to direct the inspection and proving of all pieces of ordnance, cannon balls, shot, shells, small arms, and side arms, and equipments, procured for the use of the armies of the United States; and to direct the construction of all cannon and carriages, and every implement and apparatus for ordnance, and all ammunition wagons, travelling forges, and artificer's wagons, the inspection and proving of powder, and the preparation of all kinds of ammunition and ordnance stores. And it shall also be the duty of the colonel, or senior officer of the ordnance department, to furnish estimates, and, under the direction of the secretary for the department of war, to make contracts and purchases for procuring the necessary supplies of arms, equipments, ordnance, and ordnance stores.

Duties of the colonel of the ordnance department, &c.

SECT. 4. *And be it further enacted,* That the colonel of the ordnance department shall organize and attach to regiments, corps, or garrisons, such number of artificers, with proper tools, carriages, and apparatus, under such regulations and restrictions relative to their government and number, as, in his judgment, with the approbation of the secretary for the department of war, may be considered necessary.

The colonel to organize and attach artificers, &c. to regiments, garrisons, &c.

SECT. 5. *And be it further enacted,* That the colonel of the ordnance department, or senior officer of that department of any district, shall execute all orders of the secretary for the department of war, and, in time of war, the orders of any general, or field officer, commanding any army, garrison, or detachment, for the supply of all arms, ordnance, ammunition, carriages, forges, and apparatus, for garrison, field, or siege, service.

The colonel of ordnance to execute all orders of the secretary of war, &c.

SECT. 6. *And be it further enacted,* That the keepers of all magazines and arsenals shall, quarterly, or oftener, if so directed, and in such manner as directed by the colonel of the ordnance department, make correct returns to the colonel, or senior officer, of the ordnance department, of all ordnance, arms, and ordnance stores, they may have in charge.

Keepers of magazines, &c. to make returns quarterly, or oftener, &c.

SECT. 7. *And be it further enacted,* That the costs of repairs of arms, equipments, or implements, in the use of the armies of the United States, shall be deducted from the pay of any officer or soldier in whose care or use the said arms, equipments, or implements, were, when the said damages occurred: *Provided,* The said damages were occasioned by

Costs of repairs of arms, &c. to be charged to officers and soldiers in whose hands they were, &c. provided, &c.



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Officers commanding regiments, to make report of damages done to arms, &c.

the abuse or negligence of the said officer or soldier. And it is hereby made the duty of every officer commanding regiments, corps, garrisons, or detachments, to make, once every two months, or oftener if so directed, a written report to the colonel of the ordnance department, stating all damages to arms, equipments, and implements, belonging to his command, noting those occasioned by negligence or abuse, and naming the officer or soldier by whose negligence or abuse the said damages were occasioned.

The colonel of the ordnance department to make half yearly report to the war department, &c.

SECT. 8. *And be it further enacted*, That the colonel of the ordnance department shall make, half yearly, to the war department, or oftener, if the secretary for that department shall so direct, a correct report of the officers, and all artificers, and laborers, in his department; also, of all ordnance, arms, military stores, implements, and apparatus, of every description, and in such form as the secretary for the department of war shall direct.

Public armories placed under direction of the ordnance department, and the colonel may establish depots, &c.

SECT. 9. *And be it further enacted*, That to ensure system and uniformity in the different public armories, they are hereby placed under the direction of the ordnance department. And the colonel of the ordnance department, under the direction of the secretary for the department of war, is hereby authorized to establish depots of arms, ammunition, and ordnance stores, in such parts of the United States, and in such numbers, as may be deemed necessary.

The colonel to draw up a system of regulations for the ordnance department, &c.

SECT. 10. *And be it further enacted*, That the colonel of the ordnance department, under the direction of the secretary for the department of war, is hereby authorized to draw up a system of regulations for the government of the ordnance department, forms of returns and reports, and for the uniformity of manufactures of all arms, ordnance, ordnance stores, implements, and apparatus, and for the repairing and better preservation of the same.

The pay, &c. for officers of the ordnance department the same as those in the artillery, &c. And the pay of master armorer, &c.

SECT. 11. *And be it further enacted*, That the pay, emoluments, and allowances, for the officers of the ordnance department, shall be the same as the pay, emoluments, and allowances, now allowed to officers of similar grades, respectively, in the artillery of the United States. And that the pay of a master armorer shall be thirty dollars per month, and one and a half rations per day; of a master carriage maker, thirty dollars per month, and one and a half rations per day; of a master blacksmith, thirty dollars per month, and one and a half rations per day. The pay of armorers, carriage makers, or blacksmiths, each, sixteen dollars per month, and one and a half rations per day; the pay of artificers, thirteen dollars per month, and one ration per day; and the pay of laborers, nine dollars per month, and one ration per day; and to all of the said workmen, artificers, and laborers, the same clothing, and other allowances, as are allowed to privates of infantry in the army of the United States, except clothing to the master workmen.

Clothing, &c.

The president authorized to continue officers

SECT. 12. *And be it further enacted*, That the president of the United States is hereby authorized to continue in the ser-

vice, under this act, all the officers of the ordnance department in service on the passage of the same, or to transfer them to other corps of the army of the United States. 1815.

SECT. 13. *And be it further enacted*, That the colonel of the ordnance department is hereby allowed, at the rate of one thousand dollars per year, for clerks, and such books and stationery as may be necessary to his department. of the ordnance department in service, or, &c.  
1,000 dolls. per year for clerks, &c.

SECT. 14. *And be it further enacted*, That the act passed May the fourteenth, one thousand eight hundred and twelve, entitled "An act for the better regulation of the ordnance department,"\* and the sections of any other acts, coming within the purview of any of the sections of this act, be, and the same are hereby, repealed. [*Approved, February 8, 1815.*] The act of the 14th May, 1812, &c. repealed.  
[\* Acts, ch. 406.]

CHAP. 721. An act to authorize the purchase of a tract of land for the use of the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That it shall be lawful for the president of the United States, and he is hereby authorized, to cause to be purchased, for the use of the United States, the whole, or such part, of that tract of land situate adjoining the village of Plattsburg, in the state of New York, on which forts Moreau and Brown, and other works, barracks, arsenals, hospitals, and other public buildings, now stand, as shall be by him judged requisite for the military purposes of the United States. [*Approved, February 8, 1815.*] The president authorized to cause to be purchased the slope of forts Moreau and Brown, adjoining Plattsburg, &c.

CHAP. 722. An act to amend the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise.†

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That nothing contained in the first section of the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandise, shall be construed to extend to vine dressers who sell, at the place where the same is made, wine of their own growth, nor shall any vine dresser, for vending solely at the place where the same is made, wine of his own growth, be compelled to take out license as a retailer of wine. [† See the act amended, of 3d Aug. 1813; antb. chap. 567.]

[*Approved, February 8, 1815.*]

CHAP. 723. An act making appropriations for repairing or rebuilding the public buildings within the city of Washington.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States cause to be repaired, or rebuilt, forthwith, the president's house, capitol, and public offices, The president to cause to be repaired or re-

**1815.** on their present sites, in the city of Washington, and that he be authorized to borrow, at an interest not exceeding six per centum per annum, from any bank or banks within the district of Columbia, or from any individual or individuals, a sum not exceeding five hundred thousand dollars, to be applied exclusively to that object. [*Approved, February 13, 1815.*]

built, the capitol, &c. and may borrow of the banks, &c. \$500,000 dollars, for that object.

[\* Private.]

CHAP. 724. An act for the relief of Benjamin Wells, and others.\*

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the person authorized to transact the business of the late supervisor of the revenue in the state of Pennsylvania, be, and he is hereby, authorized and directed to revise the accounts of Benjamin Wells, John Wells, William Erving, James Brice, John Webster, and Joseph Junkin, late collectors of internal duties in the state aforesaid, and to audit and settle the same, admitting, on sufficient evidence, all legal or equitable credits, not heretofore allowed or rejected by congress.

If any one or all the collectors are dissatisfied with the decision, he or they may appeal, &c.

The accounting officers of the treasury may audit and settle upon the appeal, &c.

If any of the collectors are entitled to further credits, the secretary of the treasury is to allow them, &c.

Provided, nothing in this act to impair judgments, &c.

**SECT. 2.** *And be it further enacted,* That if any one, or all, of the collectors aforesaid, shall be dissatisfied with the settlement and decision of the person authorized to transact the business of the supervisor aforesaid, he or they may, within three months after such decision, appeal from the same, upon such items in the account as they shall specially designate, stating, in writing, their objections to the decision on the same, to the accounting officers of the treasury department; and upon such appeal being taken and presented to the treasury department, within the time aforesaid, it shall be lawful for the accounting officers of that department to audit and settle the same according to the rules prescribed by this act, and in such manner as the justice of the case may require.

**SECT. 3.** *And be it further enacted,* That if, upon the settlement of the accounts as aforesaid, it shall appear that the said collectors, or any of them, are entitled to further credits than they have heretofore received, it shall be lawful for the secretary of the treasury to allow the same, and to credit the judgment heretofore recovered against them by the United States, for the amount which may be so found to be due: *Provided,* That nothing in this act shall be construed to impair the force or effect of the judgments aforesaid, but the same, together with the executions which may have issued thereon, shall continue to remain in force in the same manner they were previous to the passage of this act. [*Approved, February 13, 1815.*]

CHAP. 725. An act in addition to the act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That,

in addition to the unexpended balance of the sum heretofore appropriated for laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio, the sum of one hundred thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, and to be expended, under the direction of the president of the United States, in making said road between Cumberland, in the state of Maryland, and Brownsville, in the state of Pennsylvania, commencing at Cumberland; which sum of one hundred thousand dollars shall be repaid out of the fund reserved for laying out and making roads to the state of Ohio, by virtue of the seventh section of an act, passed on the thirtieth day of April, one thousand eight hundred and two, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the union on an equal footing with the original states, and for other purposes."\* [Approved, February 14, 1815.]

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100,000 dolls. in addition, &c. appropriated for making the road between Cumberland and Brownsville, &c.

The money to be repaid out of the fund reserved by the 7th sec. of the act mentioned, &c.

[\*Ch. 300, vol. 3.]

CHAP. 726. An act making appropriations for the support of government for the year one thousand eight hundred and fifteen.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* for the expenditure of the civil list in the present year, including the contingent expenses of the several departments and offices; for the compensation of the several loan officers and their clerks, and for books and stationery for the same; for the payment of annuities and grants, for the support of the mint establishment; for the expense of intercourse with foreign nations; for the support of lighthouses, beacons, buoys, and public piers; and for satisfying certain miscellaneous claims, the following sums be, and the same are hereby, respectively, appropriated; that is to say:

Sums appropriated for the objects mentioned.

For compensation granted by law to the members of the senate and house of representatives, their officers, and attendants, three hundred and eighteen thousand and four dollars.

For members of congress, their officers, &c.

For the expense of firewood, stationery, printing, and all other contingent expenses of the two houses of congress, fifty-two thousand eight hundred dollars.

For contingent expenses of congress.

For the expenses of the library of congress, including the librarian's allowance, for the year one thousand eight hundred and fifteen, eight hundred dollars.

For the library of congress, &c.

For compensation to the president of the United States, twenty-five thousand dollars.

For the president.

For compensation to the secretary of state, clerks, and persons employed in that department, including a clerk on old records, and a clerk and messenger in the patent office, fifteen thousand nine hundred and thirty-eight dollars.

For the secretary of state, clerks, &c.

For additional compensation to the clerks in said department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of

Additional for clerks in the department of state, not ex-

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ceeding 15 per cent. &c.  
[\* Ante, ch. 41.]

For contingent expenses of the department of state.

clerks, and to authorize the laying out certain public roads, and for other purposes,"\* one thousand and seventy-two dollars and fifty cents.

For the incidental and contingent expenses of the said department, including the expense of printing and distributing ten thousand four hundred copies of the laws of the third session of the thirteenth congress, and printing the laws in newspapers, twelve thousand eight hundred and seventy dollars.

For 1,000 copies of a new edition of the laws, &c.  
[† Ante, chap. 667.]

For the cost of one thousand copies of a new edition of the laws of the United States, as authorized by the act of the eighteenth of April, one thousand eight hundred and fourteen,† including an additional volume, to be comprised in the said edition, eighteen thousand seven hundred and fifty dollars.

For reprinting 16 copies of the laws of 1st and 2d sess. 13th congress.

For the expense of reprinting five hundred and sixteen copies of the laws of the first and second sessions of the thirteenth congress, captured by the enemy, seven hundred and seventy-four dollars.

For the secretary of the treasury, clerks, &c.

For compensation to the secretary of the treasury, clerks, and persons employed in his office, including one thousand dollars for an additional clerk, authorized by the act of the eighteenth of April, one thousand eight hundred and fourteen,‡ fourteen thousand two hundred ninety-nine dollars and eighty-one cents.

[§ Ante, ch. 680.]

For translating foreign languages, &c.

For expense of translating foreign languages, allowance to the person employed in transmitting passports and sealetters, and for stationery and printing in the office of the secretary of the treasury, one thousand five hundred dollars.

For the comptroller, clerks, &c.

For compensation to the comptroller of the treasury, clerks, and persons employed in his office, including the sum of two thousand eight hundred and eighty-nine dollars for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,§ fifteen thousand eight hundred and sixty-six dollars.

[§ Ante, ch. 41.]  
For contingent expenses in the comptroller's office.

For expense of stationery and printing, and contingent expenses, in the comptroller's office, eight hundred dollars.

For the auditor, clerks, &c.

For compensation to the auditor of the treasury, clerks, and persons employed in his office, including the sum of one thousand dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,|| thirteen thousand two hundred and twenty-one dollars.

[|| Ante, ch. 41.]

For contingent expenses in the auditor's office.  
For the treasurer, clerks, &c.

For expense of stationery and printing, and contingent expenses, in the auditor's office, five hundred dollars.

For compensation to the treasurer, clerks, and persons employed in his office, including the sum of one thousand dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,¶ seven thousand two hundred twenty-seven dollars and forty-five cents.

[¶ Ante, ch. 41.]

For contingent expenses in the treasurer's office.

For expense of stationery and printing, and contingent expenses, in the treasurer's office, six hundred dollars.

For compensation to the commissioner of the general land office, clerks, and persons employed in his office, including the sum of three thousand dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-fifth of April, one thousand eight hundred and twelve,\* thirteen thousand four hundred and ten dollars. 1815.

For the commissioner of the general land office, clerks, &c.  
[\* See ante, ch. 591.]

For expense of stationery and printing, and contingent expenses of the general land office, three thousand seven hundred dollars.

For contingent expenses of the general land office.

For compensation to the commissioner of the revenue, clerks, and persons employed in his office, twelve thousand four hundred and ten dollars.

For the commissioner of the revenue, clerks, &c.

For expense of stationery and printing, and contingent expenses, of the revenue office, six thousand six hundred and fifty dollars.

For contingent expenses of the revenue office.

For compensation to the register of the treasury, clerks, and persons employed in his office, including the sum of one thousand dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,† seventeen thousand and fifty-two dollars and two cents. († Ante, ch. 41.)

For the register, clerks, &c.

For additional compensation to the clerks in the treasury department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"‡ six thousand six hundred and thirty-four dollars and nine cents.

Additional for clerks in the treasury department, not exceeding 15 per cent.  
[‡ Ante, ch. 41.]

For compensation to the messenger of the register's office, for stamping and arranging ship's registers, ninety dollars.

For stamping, &c. ship's registers.

For expense of stationery and printing, and contingent expenses, of the register's office, three thousand eight hundred dollars.

For contingent expenses of the register's office.

For fuel, and other contingent expenses of the treasury department, including rent of the houses occupied by the said department during a part of the year one thousand eight hundred and fourteen, and the whole of the year one thousand eight hundred and fifteen, and compensation of a superintendent and two watchmen, employed for the security of the treasury buildings, six thousand nine hundred and twenty dollars.

For fuel, and other contingent expenses of the treasury department, &c.

For the purchase of a fire engine and fire buckets for the treasury department, one thousand dollars.

For engine and fire buckets, &c.

For the purchase of books, maps, and charts, for the treasury department, four hundred dollars.

For books, &c. for the treasury department.

For compensation to the secretary of the commissioners of the sinking fund, two hundred and fifty dollars.

For the secretary to the commissioners of the sinking fund.

For compensation to the secretary of war, clerks, and persons employed in his office, including the sum of three thousand nine hundred and sixty dollars, for compensation to his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six, and the sum of three hundred dollars for assistant messengers, twenty thousand five hundred and ten dollars.

For the secretary of war, clerks, &c.

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For contingencies in the office of the secretary of war, &c.  
For the accountant of the war department, clerks, &c.

For expense of stationery, printing, fuel, and other contingencies, in the office of the secretary of war, including office rent, three thousand dollars.

For compensation to the accountant of the war department, clerks, and persons employed in his office, including the sum of fourteen thousand two hundred and seventy-five dollars, for compensation of his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,\* twenty-five thousand eight hundred and thirty-five dollars.

[\*Ante, ch. 41.]

For contingent expenses in the accountant's office.  
Additional for clerks in the war department, not exceeding 15 per cent.

For contingent expenses in the office of the accountant of the war department, one thousand dollars.

For additional compensation to the clerks in the war department, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"† two thousand two hundred and twenty-six dollars.

[†Ante, ch. 41.]

For the paymaster, clerks, &c.

For compensation to the paymaster of the army, clerks, and persons employed in his office, fifteen thousand seven hundred and ten dollars.

For contingent expenses in the paymaster's office.

For contingent expenses in the office of the paymaster of the army, two thousand two hundred and fifty dollars.

For the superintendent general of military supplies, clerks, &c.

For compensation to the superintendent general of military supplies, clerks, and persons employed in his office, ten thousand four hundred and ten dollars.

For contingent expenses in the office of the superintendent general of military supplies, one thousand dollars.

For clerks in the adjutant and inspector general's office.

For compensation to the clerks in the adjutant and inspector general's office, one thousand eight hundred dollars.

For the commissary general of purchases, &c.

For compensation to the commissary general of purchases, and the clerks in his office, ten thousand dollars.

For contingent expenses in the office of the commissary general of purchases, one thousand dollars.

For the secretary of the navy, clerks, &c.

For compensation to the secretary of the navy, clerks, and persons employed in his office, including the sum of one thousand six hundred dollars, for compensation of his clerks, in addition to the sum allowed by the act of the twenty first of April, one thousand eight hundred and six,‡ eleven thousand four hundred and ten dollars.

[‡Ante, ch. 41.]

For contingent expenses in the secretary's office.

For contingent expenses in the office of the secretary of the navy, including office rent, three thousand three hundred dollars.

For the accountant of the navy, clerks, &c.

For compensation to the accountant of the navy, clerks, and persons employed in his office, including the sum of three thousand dollars for compensation of his clerks, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,§ thirteen thousand four hundred and ten dollars.

[§Ante, ch. 41.]

For contingent expenses in the accountant's office.

For contingent expenses in the office of the accountant of the navy, including office rent, one thousand two hundred and fifty dollars.

Additional for clerks in the

For additional compensation to the clerks in the navy department, not exceeding fifteen per centum on the sum allowed by

the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"\* one thousand nine hundred and thirty-five dollars. 1815.  
navy department, &c.  
[\* Ante, ch. 41.]

For compensation to the postmaster general, assistant postmasters general, clerks, and persons employed in the general post office, including the sum of five thousand seven hundred and fifty-five dollars, for compensation of the clerks in the general post office, in addition to the sum allowed by the act of the twenty-first of April, one thousand eight hundred and six,† twenty-two thousand and ten dollars. For the postmaster general, assistants, clerks, &c.  
[† Ante, ch. 41.]

For contingent expenses of the general post office, two thousand eight hundred dollars.

For additional compensation to the clerks in the general post office, not exceeding fifteen per centum on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"‡ one thousand four hundred and one dollars and seventy-five cents. Additional for the clerks in the general post office, &c.  
[‡ Ante, ch. 41.]

For compensation to the several commissioners of loans, and for allowance to certain commissioners of loans in lieu of clerk hire, fourteen thousand five hundred and fifty dollars. For the commissioners of loans, &c.

For compensation to the clerks of sundry commissioners of loans, including a sum of three thousand dollars, in addition to the amount heretofore allowed by law, and to defray the authorized expenses of the several loan offices, thirteen thousand seven hundred dollars. For the clerks of sundry commissioners of loans, &c.

For compensation to the surveyor general and his clerks, three thousand five hundred dollars. For the surveyor general and clerks.

For compensation to the surveyor of lands south of Tennessee, and his clerks, and for the contingent expenses of his office, three thousand two hundred dollars. For the surveyor of lands south of Tennessee, clerks, &c.

For compensation to the officers and clerks of the mint, ten thousand one hundred dollars. For officers and clerks of the mint.

For wages to the persons employed in the different operations of the mint, including the sum of six hundred dollars allowed to an assistant engraver, seven thousand five hundred dollars. For wages to persons employed in the mint.

For repairs of furnaces, cost of iron and machinery, rents, and other contingent expenses of the mint, three thousand eight hundred dollars. For contingent expenses of the mint.

For allowances for wastage in the gold and silver coinage, three thousand dollars. For wastage.

For compensation to the governor, judges, and secretary, of the Mississippi territory, nine thousand dollars. For the governor, judges, &c. of the Mississippi territory.

For stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars. For contingent territorial expenses.

For compensation to the governor, judges, and secretary of the Indiana territory, six thousand six hundred dollars. For the governor, judges, &c. of the Indiana territory.

For stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars. For contingent territorial expenses.



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For the Governor, judges, &c. of the Missouri territory.  
 For contingent territorial expenses.  
 For the governor, judges, &c. of the Michigan territory.  
 For contingent territorial expenses.  
 For the governor, judges, &c. of the Illinois territory.  
 For contingent territorial expenses.  
 For demands not otherwise provided for, &c.

For the judges and attorney general, &c.

For district attorneys and marshals.

For courts, jurors, witnesses, &c. in aid of the funds arising from fines, &c.

For sundry pensions, &c.

For the annual allowance to invalid pensioners.

For sick and disabled seamen, &c.

For the support of lighthouses, beacons, buoys, &c.

For the support, &c. of prisoners of war.

For ascertaining land titles in Louisiana.

For salaries, &c. of ministers to foreign nations, &c.

For contingent expenses of foreign intercourse.

For compensation to the governor, judges, and secretary, of the Missouri territory, seven thousand eight hundred dollars.

For stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Michigan territory, six thousand six hundred dollars.

For stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For compensation to the governor, judges, and secretary, of the Illinois territory, six thousand six hundred dollars.

For stationery, office rent, and other contingent expenses of said territory, three hundred and fifty dollars.

For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, two thousand dollars.

For compensation granted by law to the chief justice, the associate judges, and district judges, of the United States, including the chief justice and associate judges of the district of Columbia, and the attorney general; and also including the sum of one thousand dollars, short, appropriated in the year one thousand eight hundred and fourteen, for the salary of the district judge of Louisiana, sixty-four thousand dollars.

For the compensations of sundry district attorneys and marshals, as granted by law, including those in the several territories, seven thousand eight hundred and fifty dollars.

For defraying the expenses of the supreme, circuit, and district, courts of the United States, including the district of Columbia, and of jurors, and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, and for defraying the expenses of prosecutions for offences against the United States, and for the safekeeping of prisoners, forty thousand dollars.

For the payment of sundry pensions, granted by the late government, eight hundred and sixty dollars.

For the payment of the annual allowance to the invalid pensioners of the United States, ninety-eight thousand dollars.

For the relief and support of sick and disabled seamen, in addition to the funds already appropriated by law, twenty thousand dollars.

For the maintenance and support of lighthouses, beacons, buoys, and public piers, stakeages of channels, bars, and shoals, including repairs and improvements, and contingent expenses, twenty-four thousand two hundred and ninety-nine dollars and eleven cents.

For the support and safekeeping of prisoners of war, five hundred thousand dollars.

For defraying the expenses of ascertaining land titles in Louisiana, eight thousand dollars.

For the salaries, allowances, and contingent expenses, of ministers to foreign nations, and of secretaries of legation, one hundred and nine thousand two hundred and fifty dollars.

For the contingent expenses of intercourse between the United States and foreign nations, fifty thousand dollars.

For the expenses of intercourse with the Barbary powers, **1815.**  
ten thousand dollars.

For intercourse  
with Barbary  
powers.

For the relief and protection of distressed American seamen  
in foreign countries, fifty thousand dollars.

For the relief  
of American  
seamen, &c.  
For expenses of  
agents at Paris  
and Copenha-  
gen.

For expenses of agents at Paris and Copenhagen, in relation  
to prize causes and captures of American vessels, four thousand  
dollars.

For the discharge of such miscellaneous claims against the  
United States, not otherwise provided for, as shall have been  
admitted in due course of settlement at the treasury, four thou-  
sand dollars.

For miscellane-  
ous claims, &c.

For paying to Augustus McKinney and Layzel Bancroft  
the amount of a judgment remitted by act of congress, one  
thousand dollars.

For paying, Mc  
Kinney and  
Bancroft.

For compensation to the board of commissioners appointed  
to carry into effect the act of the thirty-first of March, one thou-  
sand eight hundred and fourteen, for indemnifying certain  
claimants of public land in the Mississippi territory, six thou-  
sand dollars.

For compensa-  
tion to th. board  
of commissi-  
oners for indem-  
nifying claimants  
of land in the  
Mississippi, &c.

For stationery, office rent, and other contingent expenses, of  
the last mentioned board of commissioners, a sum not exceeding  
twelve hundred dollars.

For contingent  
expenses of the  
board.

For the discharge of the claim of Farrington Barkelow, grant-  
ed him by act of congress for his relief, one thousand one  
hundred and sixty-eight dollars and twenty-five cents.

For the claim of  
Farrington  
Barkelow.

For the compensation of the commissioners of the navy  
board, ten thousand five hundred dollars.

For the com-  
missioners of  
the navy board.

For compensation to the secretary of the navy board, two  
thousand dollars.

For the secre-  
tary of the navy  
board.

SECT. 2. *And be it further enacted*, That the several appropri-  
ations hereinbefore made, shall be paid and discharged out of  
the fund of six hundred thousand dollars, reserved by the act  
making provision for the debt of the United States,\* and out of  
any moneys in the treasury, not otherwise appropriated.

The appropri-  
ations to be paid  
out of the fund  
reserved, &c.

[\* See chap. 69,  
vol. 2.]

[Approved, February 16, 1815.]

CHAP. 727. An act for the relief of the inhabitants of the late county of  
New Madrid, in the Missouri territory, who suffered by earthquakes.

SECT. 1. *Be it enacted by the senate and house of represen-  
tatives of the United States of America in congress assembled*, That  
any person or persons owning lands in the county of New Ma-  
drid, in the Missouri territory, with the extent the said county  
had on the tenth day of November, one thousand eight hundred  
and twelve, and whose lands have been materially injured by earth-  
quakes, shall be, and they are hereby, authorized to locate the  
like quantity of land on any of the public lands of the said ter-  
ritory, the sale of which is authorized by law: *Provided*, That  
no person shall be permitted to locate a greater quantity of land  
under this act, than the quantity confirmed to him, except the  
owners of lots of ground or tracts of land of less quantity than

Persons owning  
lands in the  
county of New  
Madrid, &c. ma-  
terially injured  
by earthquakes,  
authorized to  
locate the like  
quantity on any  
public lands in  
Missouri terri-  
tory, &c.  
Provido; as to  
the quantity al-  
lowed to be lo-  
cated.

**1815.** one hundred and sixty acres, who are hereby authorized to locate and obtain any quantity of land, not exceeding one hundred and sixty acres, nor shall any person be entitled to locate more than six hundred and forty acres, nor shall any such location include any lead mine or salt spring: *And provided also,* That in every case where such location shall be made according to the provisions of this act, the title of the person or persons to the land injured as aforesaid, shall revert to, and become absolutely vested in, the United States.

Lead mines and salt springs excepted. Proviso; the title to the land injured to revert to the United States.

When it appears to the recorder, by the oath, &c. that any persons are entitled to a tract under this act, he is to issue a certificate, &c.

A survey to be made, and plat returned, &c.

Plat, &c. to be recorded.

Compensation to the recorder and surveyor.

The recorder to transmit a report of the claims allowed, &c. to the commissioner of the general land office, &c.

The recorder to issue a certificate, &c.

Patent, &c.

**SECT. 2.** *And be it further enacted,* That whenever it shall appear to the recorder of land titles for the territory of Missouri, by the oath or affirmation of a competent witness, or witnesses, that any person or persons are entitled to a tract or tracts of land under the provisions of this act, it shall be the duty of the said recorder to issue a certificate thereof to the claimant or claimants; and upon such certificate being issued, and the location made, on the application of the claimants, by the principal deputy surveyor for said territory, or under his direction, whose duty it shall be to cause a survey thereof to be made, and to return a plat of each location made to the said recorder, together with a notice in writing, designating the tract or tracts thus located, and the name of the claimant on whose behalf the same shall be made; which notice and plat the said recorder shall cause to be recorded in his office, and shall receive from the claimant, for his services on each claim, the sum of two dollars, for receiving the proof, issuing the certificate, and recording the notice and plat, as aforesaid; and the surveyor shall be entitled to the same compensation for his services from the party applying, as is allowed for surveying the public lands of the United States.

**SECT. 3.** *And be it further enacted,* That it shall be the duty of the recorder of land titles to transmit a report of the claims allowed, and locations made, under this act, to the commissioner of the general land office, and shall deliver to the party a certificate, stating the circumstances of the case, and that he is entitled to a patent for the tract therein designated, which certificate shall be filed with the said recorder within twelve months after date, and the recorder shall thereupon issue a certificate in favor of the party, which certificate, being transmitted to the commissioner of the general land office, shall entitle the party to a patent, to be issued in like manner as is provided by law for other public lands of the United States.

[Approved, February 17, 1815.]

[\* Private.]

CHAP. 728. An act for the relief of Joseph Perkins.\*

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officers of the navy department be, and they are hereby, authorized to audit and settle the claim of Jo-

The proper accounting officers of the navy department to au-

Joseph Perkins, on account of the destruction of the ship Liverpool Trader, by ascertaining, or causing to be ascertained, the value thereof, at the time of such destruction, in such manner, and upon such terms, as may embrace the merits of the claim. 1815.

SECT. 2. *And be it further enacted*, That the amount of such valuation, when ascertained as aforesaid, shall be paid to the said Joseph Perkins, out of any money in the treasury, not otherwise appropriated. [Approved, February 17, 1815.]

dit and settle the claim of Joseph Perkins, on account of the destruction of the ship Liverpool Trader, &c. The amount, &c. to be paid out of money in the treasury, &c.

CHAP. 729. An act for the relief of Saltus, son, and company, merchants, [\* Private.] of the city of New York.\*

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the accounting officers of the treasury be, and they are hereby, authorized and required to examine and settle the claim of Saltus, son, and company, merchants, of the city of New York; and to allow the same deduction from the duties payable on a quantity of glass imported into the United States, on account of damage sustained during the voyage, as the petitioners would have been entitled to claim if the survey and measurement of the glass destroyed during the voyage had been made with the approbation and consent of the collector of the customs at Newport, where the same was landed. [Approved, February 22, 1815.]

The accounting officers of the treasury required to settle the claim of Saltus, son, and co. of New York, and allow a deduction from duties payable on a quantity of glass imported, as if, &c.

CHAP. 730. An act giving further time to complete the surveys, and obtain the patents, for lands located under Virginia resolution warrants.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the officers and soldiers of the Virginia line on continental establishment, or their legal representatives, to whom land warrants have issued by virtue of any resolution of the legislature of Virginia, as a bounty for services, which, by the laws of Virginia passed prior to the cession of the northwestern territory to the United States, entitled such officers or soldiers to bounty lands, and whose location of such warrants shall have been made prior to the twenty-third day of March, one thousand eight hundred and eleven, shall be allowed the further time of two years from the passing of this act to complete their surveys and obtain their patents for the land located as aforesaid: *Provided*, That surveys shall be made, and patents granted, on the aforesaid locations, under the same regulations, restrictions, and provisions, in every respect, as were prescribed for the making of surveys and granting of patents by the act, entitled "An act authorizing patents to issue for lands located and surveyed by virtue of certain Virginia resolution warrants,"† passed on the third day of March, one thousand eight hundred and seven.

Officers and soldiers of the Virginia line on continental establishment, to whom land warrants have issued by virtue of any resolution of the legislature of Virginia, &c. whose locations have been made prior to the 23d March, 1811, allowed until 23d Feb. 1817, to complete their surveys, &c. provided, &c.

[† Ante, ch. 85.]

[Approved, February 22, 1815.]

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[\* Private.]

CHAP. 731. An act for the relief of Isaac Smith and Bratton Caldwell.\*

The comptroller of the treasury authorized to settle the accounts of Matthew Wilson, deceased, late collector of direct taxes, &c. and to allow any credit he might have claimed, as an offset, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the comptroller of the treasury be, and he is hereby, authorized to adjust and settle, on equitable terms, the accounts of Matthew Wilson, deceased, late collector of the direct taxes and internal revenue for the seventh district, in the state of Pennsylvania, and to allow any credit which the said Matthew Wilson might have claimed against the United States, as an offset to a judgment obtained, at the suit of the United States, against Isaac Smith and Bratton Caldwell, as securities of the said Matthew Wilson.

[Approved, February 22, 1815.]

[† Private.]

CHAP. 732. An act for the relief of Henry Nimmo.†

750 dolls. to be refunded to Henry Nimmo, duties paid by him on 100 bags of cotton, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That there be refunded and paid to Henry Nimmo, of Warren, in the state of Rhode Island and Providence Plantations, out of any money in the treasury, not otherwise appropriated, the sum of seven hundred and fifty dollars; it being so much money paid by the said Nimmo for duties upon the importation of one hundred bags of cotton, the growth and produce of the United States. [Approved, February 23, 1815.]

CHAP. 733. An act requiring the secretary of the senate and clerk of the house of representatives in the congress of the United States, to give security for the faithful application and disbursement of the contingent funds of the senate and house of representatives.

The secretary of the senate and clerk of the house to give bond, &c.

Condition of the bond, &c.

Every future secretary and clerk to give bond, &c.

The secretary and clerk to deposit public money in a bank of the district, pay by draft, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That it shall be the duty of the secretary of the senate, and clerk of the house of representatives, respectively, within ten days after the passage of this act, to give bond to the United States, with one or more sureties, to be approved by the comptroller of the treasury; each bond in the penal sum of twenty thousand dollars, with condition for the faithful application and disbursement of such contingent funds of the respective houses as shall come into their hands, which bonds shall be deposited in the comptroller's office: And it shall be the duty of each and every secretary of the senate, and clerk of the house of representatives, who may hereafter be chosen, to give bond as aforesaid, within thirty days after he enters upon the discharge of the duties of his said office.

SECT. 2. *And be it further enacted,* That from and after the passage of this act, it shall be the duty of the secretary of the senate, and the clerk of the house of representatives, to deposit all money belonging to the United States, which may come into their hands, in one of the banks in the district of Columbia; and all debts payable by said secretary or clerk, on account of the senate or house of representatives, shall be paid by a draft,

in favor of each creditor, on the bank where the money of 1815.  
government may be deposited.

[*Approved, February 23, 1815.*]

CHAP. 734. An act for granting and securing to Anthony Shane the right of the United States to a tract of land in the state of Ohio.\*

[\* Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That,* in consideration of valuable and faithful services, rendered to the United States during the present war, by Anthony Shane, a half breed Indian, there be granted to him all the right of the United States to a tract of land, to contain three hundred and twenty acres, lying on the river St. Mary's, at a place called Shane's Crossing, within the limits of the state of Ohio, but in a part thereof to which the Indian title has not yet been extinguished; the said tract to be located in a convenient form, and so as to comprehend the said Anthony Shane's improvements.

The right of the United States to a tract of 330 acres of land lying on the St. Mary's, &c. granted to Anthony Shane, for valuable and faithful services, &c.

SECT. 2. *And be it further enacted, That,* as soon as the Indian title to the territory, comprehending the said tract, shall be extinguished, the said three hundred and twenty acres shall be surveyed under the authority of the United States, and a patent therefor shall be granted to the said Anthony Shane, or, if not then living, to his children and legal representatives, to hold the same to them and their heirs.

As soon as the Indian title is extinguished, the 330 acres to be surveyed, and a patent granted, &c.

[*Approved, February 24, 1815.*]

CHAP. 735. An act for the relief of Uriah Coolidge and James Burnham.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the secretary of the navy be, and he is hereby, authorized and required to pay to Uriah Coolidge and James Burnham, of the town of Portland, in the district of Maine, out of the fund "appropriated to the support and maintenance of wounded seamen on board private armed vessels,"\* such a sum as will compensate them for taking care of, and procuring medical aid for, Peter Charry, Thomas Robinson, John Hart, Thomas Bailey, Peter Ridley, and Joseph Sawyer, six seamen belonging to the crew of the private armed schooner Siro, who were wounded by an explosion of the arm chest, during a cruise in the summer of the year eighteen hundred and thirteen, five of whom, when brought to land, to wit, Peter Charry, Thomas Robinson, John Hart, Thomas Bailey, and Peter Ridley, were placed under the care of the said Uriah Coolidge, and one, to wit, Joseph Sawyer, under the care of the said James Burnham, there being no marine hospital in said town; also, that the secretary be authorized to allow for the funeral charges of such of said seamen as died of their wounds aforesaid: *Provided, however, That* the above-mentioned allowance shall not exceed the accustomed rates of hospital charges in similar cases. [*Approved, February 24, 1815.*]

The secretary of the navy required to pay, out of the fund appropriated, &c. to U. Coolidge and J. Burnham, such a sum as will compensate them for taking care of the seamen mentioned, &c.

Funeral charges to be allowed, provided they do not exceed the accustomed rates, &c.

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CHAP. 736. An act for the regulation of the courts of justice of Indiana.

The judges of the general court of Indiana to hold two sessions every year, at the places mentioned, &c.

Not less than two judges to compose a court.

No person acting under the authority of the territory to be associated, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the judges of the general court of the Indiana territory shall, in each and every year, hold two sessions of the said court, at Vincennes, in the county of Knox, on the first Mondays of February and September; at Corydon, in the county of Harrison, on the third Mondays in February and September; and at Brookville, in the county of Franklin, on the first Mondays next succeeding the fourth Mondays of February and September; which courts, respectively, shall be composed of at least two of the judges appointed by the government of the United States; and no person or persons, acting under the authority and appointment of the said territory, shall be associated with the said judges. [Approved, February 24, 1815.]

[\* Private.]

CHAP. 737. An act for the relief of Daniel Perine.\*

The register and receiver for the district of Cincinnati to permit Daniel Perine to become the purchaser at private sale, of the south east quarter of sec. No. 25, &c. if, &c.

D. Perine to be entitled to a grant, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the register and receiver of public moneys for the district of Cincinnati, shall permit Daniel Perine, of Indiana territory, to enter and become the purchaser, at private sale, of the south east quarter of section numbered twenty-five, of township numbered six, in range numbered one, west, in the Cincinnati district; if, on due inquiry, the said register and receiver shall be satisfied that the said quarter section does not contain any salt spring, or springs valuable for the purpose of making salt. And the said Daniel Perine shall be entitled to a grant for the aforesaid quarter section, on completing the payments therefor, on the terms and conditions provided for the sale of public lands sold at private sale. [Approved, February 24, 1815.]

CHAP. 738. An act to authorize the issuing of treasury notes for the service of the year one thousand eight hundred and fifteen.

The secretary of the treasury to cause not exceeding \$5,000,000 of dollars, of treasury notes to be issued, &c.

The notes to be signed by persons to be appointed, &c.

Compensation for signing. The notes to be countersigned, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of the treasury, with the approbation of the president of the United States, be, and he is hereby, authorized to cause treasury notes, for a sum not exceeding twenty-five millions of dollars, to be prepared, signed, and issued, at the treasury of the United States, in the manner hereinafter provided.

SECT. 2. *And be it further enacted,* That the said treasury notes shall be, respectively, signed in behalf of the United States, by persons to be appointed for that purpose by the president of the United States, two of whom shall sign each note; and they shall receive, as a compensation for that service, at the rate of seventy-five cents for every hundred notes thus signed by them, respectively; and the said notes shall likewise be coun-

tersigned by the register of the treasury, or, in case of his sickness or absence, by the treasurer of the United States. 1815.

SECT. 3. *And be it further enacted,* That the said treasury notes shall be prepared of such denominations as the secretary of the treasury, with the approbation of the president of the United States, shall, from time to time, direct; and such of the said notes as shall be of a denomination less than one hundred dollars shall be payable to bearer, and be transferable by delivery alone, and shall bear no interest; and such of the said notes as shall be of the denomination of one hundred dollars, or upwards, may be made payable to order, and transferable by delivery and assignment, endorsed on the same, and bearing an interest from the day on which they shall be issued, at the rate of five and two-fifths per centum per annum; or they may be made payable to bearer, and transferable by delivery alone, and bearing no interest, as the secretary of the treasury, with the approbation of the president of the United States, shall direct.

The denomination of the notes to be such as the secretary of the treasury directs. Notes less than 100 dolls. transferable by delivery only, and not to bear interest. Notes of 100 dolls. &c. may bear interest or not, &c. &c.

SECT. 4. *And be it further enacted,* That it shall be lawful for the holders of the aforesaid treasury notes not bearing an interest, and of the treasury notes bearing an interest at the rate of five and two-fifths per centum per annum, to present them at any time, in sums not less than one hundred dollars, to the treasury of the United States, or to any commissioner of loans; and the holders of the said treasury notes not bearing an interest, shall be entitled to receive therefor the amount of the said notes in a certificate or certificates of funded stock, bearing interest at seven per centum per annum, and the holders of the aforesaid treasury notes bearing an interest at the rate of five and two-fifths per centum, shall be entitled to receive therefor the amount of the said notes, including the interest due on the same, in a like certificate or certificates of funded stock, bearing an interest of six per centum per annum, from the first day of the calendar month next ensuing that in which the said notes shall thus be, respectively, presented, and payable quarter yearly, on the same days whereon the interest of the funded debt is now payable. And the stock thus to be issued shall be transferable in the same manner as the other funded stock of the United States; the interest on the same, and its eventual reimbursement, shall be effected out of such fund as has been, or shall be, established by law for the payment and reimbursement of the funded public debt contracted since the declaration of war against Great Britain. And the faith of the United States is hereby pledged to establish sufficient revenues, and to appropriate them, as an addition to the said fund, if the same shall, at any time hereafter, become inadequate for effecting the purpose aforesaid: *Provided, however, and be it further enacted,* That it shall be lawful for the United States to reimburse the stock thus created, at any time after the last day of December, one thousand eight hundred and twenty-four.

The notes may be exchanged for certificates of funded stock, if not bearing interest, at 7 per cent. if bearing interest, at 6 per cent. &c.

The stock to be transferable, &c.

The faith of the United States pledged to establish and appropriate sufficient additional revenues for the reimbursement of the stock, &c. *Provided;* the United States may reimburse after the 31st of Dec. 1824.

SECT. 5. *And be it further enacted,* That it shall be lawful for the secretary of the treasury to cause the treasury notes which, in pursuance of the preceding section, shall be delivered

The secretary of the treasury may cause the



1815.

notes exchanged for stock to be re-issued, &c.

The notes to be received in all payments to the United States, for the amount of principal and interest, &c.

The interest to be computed at the rate of 11 1/2 ct. per day on every 100 dollars, &c.

Persons making payment of treasury notes to give duplicate certificates, &c.

Collectors, &c., receiving the notes in payment, to be allowed credit for principal and interest, &c.

Proviso; interest accrued to be charged to collectors, &c.

Proviso; no charge or deduction on account of interest in respect to any bank, &c., receiving the notes as specie, and giving credit, &c.

The secretary of the treasury to cause the notes to be issued in payment of services, debts, &c.

up and exchanged for funded stock, and also the treasury notes which shall have been paid to the United States for taxes, duties, or demands, in the manner hereinafter provided, to be re-issued, and applied anew, to the same purposes, and in the same manner, as when originally issued.

SECT. 6. *And be it further enacted,* That the treasury notes authorized to be issued by this act, shall be every where received in all payments to the United States. On every such payment the note or notes shall be received for the amount of both the principal and the interest, which, on the day of such payment, may appear due on such of the notes as shall bear interest, thus given in payment; and the interest on the said notes bearing an interest, shall, on such payments, be computed at the rate of one cent and one-half of a cent per day, on every hundred dollars of principal; and each month shall be computed as containing thirty days.

SECT. 7. *And be it further enacted,* That any person making payment to the United States in the said treasury notes, into the hands of any collector, receiver of public moneys, or other public officer or agent, shall, on books, kept according to such forms as shall be prescribed by the secretary of the treasury, give duplicate certificates of the number and respective amount of each and every treasury note, and of the interest thereon, in case the same shall bear interest, thus paid by such person; and every collector, receiver of public moneys, or other public officer or agent, who shall thus receive in payment any of the said treasury notes bearing interest, shall, on payment of the same into the treasury, or into one of the banks where the public moneys are or may be deposited, receive credit both for the principal and for the interest, computed as aforesaid, which, on the day of such last mentioned payment, shall appear due on the note or notes thus paid in: *Provided always,* That in the settlement of his accounts he shall be charged for the interest accrued on such note or notes, from the day on which the same shall have been received by him in payment as aforesaid to the day on which the same shall be paid by him as aforesaid: *And provided also,* That no charge or deduction, on account of interest, shall be made in respect to any bank into which payments as aforesaid may be made to the United States, either by individuals, or by collectors, receivers, or other public officers or agents, and which payments shall be received by such bank as specie, and credit given to the treasurer of the United States for the amount thereof, including the interest accrued and due on such notes, from the day on which the same shall have been received by such bank, on account of the United States.

SECT. 8. *And be it further enacted,* That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to cause the said treasury notes to be issued at the par value thereof, in payment of services, of supplies, or of debts, for which the United States are or may be answerable by law, to such person and persons as shall be willing to accept the same in payment; and to deposite por-

tions of the said notes in the loan offices, or in state banks, for the purpose of paying the same to the public creditors as aforesaid; and to borrow money on the credit of the said notes; or to sell the same, at a rate not under par; and it shall be a good execution of this provision, to pay such notes to such bank or banks as will receive the same at par, and give credit to the treasurer of the United States for the amount thereof, on the day on which the said notes shall thus be issued and paid to such bank or banks, respectively.

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The secretary of the treasury may borrow money on the credit of the notes, or sell them, &c.

SECT. 9. *And be it further enacted*, That it shall and may be lawful for the holder of any treasury notes issued, or authorized to be issued, under any laws heretofore passed, to convert the same into certificates of funded debt, upon the same terms, and in the same manner, hereinbefore provided, in relation to the treasury notes authorized by this act, bearing an interest of five and two-fifths per centum.

The holders of treasury notes issued under former laws, may convert them into certificates of funded debt, &c.

SECT. 10. *And be it further enacted*, That a sum of forty thousand dollars, to be paid out of any money in the treasury, not otherwise appropriated, be, and the same is hereby, appropriated, for defraying the expense of preparing, printing, engraving, signing, and otherwise incident to the issuing, of the treasury notes authorized by this act.

40,000 dolls. appropriated to defray the expense of issuing the treasury notes, &c.

SECT. 11. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any note, in imitation of, or purporting to be, a treasury note as aforesaid; or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering, any treasury note, issued as aforesaid; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited, note, purporting to be a treasury note as aforesaid, knowing the same to be falsely made, forged, or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered treasury note, issued as aforesaid, knowing the same to be falsely altered; or shall be, directly or indirectly, knowingly concerned in any of the offences aforesaid, every such person shall be deemed and adjudged guilty of felony; and, being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labor, for a period not less than three years, nor more than ten years, and be fined in a sum not exceeding five thousand dollars.

Imprisonment, hard labor, and fine, for forging, counterfeiting, or uttering forged or counterfeited, treasury notes, &c.

[Approved, February 24, 1815.]

CHAP. 739. An act for the relief of Edward Hallowell.\*

[\* Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That Edward Hallowell, of the city of Philadelphia, who imported into the district of Wilmington certain goods, wares, and merchandise, from the port of Liverpool, which goods were put on

Edward Hallowell, who imported certain goods from Liverpool, into the

**1815.** board the ship *Tiber*, William Porter, master, on the fifth day of December, one thousand eight hundred and twelve, shall be entitled to, and may avail himself of, all the benefits, privileges, and provisions, of the act, entitled "An act directing the secretary of the treasury to remit fines, forfeitures, and penalties, in certain cases,"\* passed on the second day of January, one thousand eight hundred and thirteen, in like manner, and on the same conditions, as though the said vessel had departed from the kingdom of Great Britain between the twenty-third day of June, and the fifteenth day of September, mentioned in such act. [*Approved, February 27, 1815.*]

district of Wilmington, allowed to avail himself of all the benefits of the act directing the secretary of the treasury to remit fines, &c.  
[\*Ante, ch. 472.]

**CHAP. 740.** An act for the relief of Jacob Shinnick and Schoultz and Vogeler, of Christian Chapman, and the legal representatives of John Calef, deceased.†

[† Private.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officers of the war department be, and they are hereby, authorized and directed to audit and settle the several claims and accounts of Jacob Shinnick and Shoultz and Vogeler, of Christian Chapman, and the legal representative of John Calef, deceased, on account of the destruction, by the United States, of their rope walks, and other property, therein deposited, in the vicinity of Baltimore, in such manner and upon such terms as may embrace the justice of their claim.

The proper accounting officers of the war department directed to audit and settle the claims of Jacob Shinnick and Shoultz and Vogeler, &c., on account of the destruction of their rope walks, &c.

**SECT. 2.** *And be it further enacted,* That the amount thereof, when audited by the competent authority, shall be paid to the proper owners thereof, out of any money in the treasury, not otherwise appropriated, upon such claimant releasing to the United States all claim on account of the property aforesaid.

The amount to be paid to the proper owners, &c.

[*Approved, February 27, 1815.*]

[† Private.]

**CHAP. 741.** An act for the relief of Joshua Sands.‡

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the proper accounting officers of the treasury be, and hereby are, authorized and directed to liquidate and adjust with Joshua Sands, late collector of the port of New York, the account of damages, interest, and charges, in the cases of the brig *Harriet*, otherwise called the *John*, and cargo, and the *Jennet*, and cargo, seized by him, whilst he was collector of the port of New York, for a violation of the act to suspend commercial intercourse between the United States and France, for which seizures suits were brought, and damages and costs recovered, against the said collector; and to satisfy and discharge the same, a sum sufficient is hereby appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated.

The proper accounting officers of the treasury to adjust with Joshua Sands, late collector of New York, the account of damages, &c. in the cases of the *Harriet* and the *Jennet*, &c.

A sufficient sum appropriated, &c.

[*Approved, February 27, 1815.*]

CHAP. 742. This is an act relating entirely to the district of Columbia.  
See act of 18th April, 1814; ante, sec. 1, chap. 657.

1815.

CHAP. 743. An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying a duty on gold, silver, and plated ware, and jewelry and pastework, manufactured within the United States.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That from and after the eighteenth day of April next, there shall be paid upon all gold, silver, and plated ware, and jewelry and paste work, except time pieces, which shall thereafter be manufactured or made for sale within the United States, or the territories thereof, a duty of six per centum ad valorem, by the manufacturer thereof.

6 per cent. ad valorem laid on gold, silver, and plated ware, jewelry, &c. except, &c. manufactured after the 18th April, 1815.

SECT. 2. *And be it further enacted*, That the duty aforesaid shall be imposed, paid, collected, and accounted for, in like manner, and subject to the like provisions and penalties, as the duties imposed by the "Act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on various goods, wares, and merchandise, manufactured within the United States,"\* passed the eighteenth day of January, one thousand eight hundred and fifteen, all the provisions of which act shall apply to the duty hereby imposed, and to those by whom it shall be payable, the same as if it were specifically inserted among the dutiable objects enumerated in the first section thereof. [*Approved, February 27, 1815.*]

The duty to be imposed, paid, &c. as provided by the act laying duties on various goods, &c. manufactured in the United States, &c.

[\*Ante, ch. 704.]

CHAP. 744. An act to repeal certain acts concerning the flotilla service, and for other purposes.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That from and after the first day of April next, the act, entitled "An act authorizing the president of the United States to cause to be built, barges for the defence of the ports and harbors of the United States,"† passed the fifth day of July, in the year one thousand eight hundred and thirteen; and also an act, entitled "An act authorizing the appointment of certain officers for the flotilla service,"‡ passed the sixteenth day of April, in the year one thousand eight hundred and fourteen, shall be repealed and cease to be in force.

An act concerning barges, and an act authorizing the appointment of officers for the flotilla service, repealed

[†Ante, ch. 834.]

[‡Ante, ch. 647.]

SECT. 2. *And be it further enacted*, That the barges and other vessels composing the flotilla establishment, (they being first divested of their guns and military stores, which are to be carefully preserved,) shall be sold or laid up under the direction of the president of the United States, and the moneys arising therefrom paid into the treasury thereof.

Barges and other vessels of the flotilla to be sold or laid up, &c.

SECT. 3. *And be it further enacted*, That all the commissioned and warrant officers, and all the privates, who shall be discharged

Officers and privates discharged to re-

1815. in consequence of the repeal of the acts aforesaid, shall be entitled to receive four months' pay, over and above what may be due to them, respectively, at the time of their discharge.

ceive 4 months' pay, over and above, &c.

The president authorized to cause the armed vessels on the lakes to be sold or laid up, except, &c.

SECT. 4. *And be it further enacted*, That the president of the United States be, and he hereby is, authorized to cause all the armed vessels thereof on the lakes, except such as he may deem necessary to enforce the proper execution of the revenue laws, to be sold or laid up, as he may judge most conducive to the public interest; such vessels being first divested of their armament, tackle, and furniture, which are to be carefully preserved.

An act authorizing the purchase or building of vessels, repealed, &c. [*\* Ante, ch. 685.*]

Vessels acquired under the act may be sold, &c.

SECT. 5. *And be it further enacted*, That the act, entitled "An act authorizing the president of the United States to cause to be built, or purchased, the vessels therein mentioned,"\* passed the fifteenth day of November, in the year one thousand eight hundred and fourteen, be, and the same is hereby, repealed; and the president of the United States is hereby authorized to cause to be sold such of the vessels acquired under the said act as he may deem inexpedient to be retained in the public service; and to cause the money arising therefrom to be paid into the public treasury.

The president authorized to cause gunboats to be sold, &c.

SECT. 6. *And be it further enacted*, That the president of the United States be, and he is hereby, authorized to cause to be sold, they being first divested of their guns and military stores, which are to be carefully preserved, such and so many of the gunboats belonging to the United States, as in his judgment may no longer be necessary to be retained for the public service; and such of the warrant officers and privates as may be discharged in consequence of such sale, shall be entitled to receive four months' pay, over and above what may be due to them at the time of their discharge. [*Approved, February 27, 1815.*]

Warrant officers and privates discharged, &c. entitled to 4 months' pay, over and above, &c.

CHAP. 745. An act to amend and extend the provisions of the act of the sixteenth of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois territory, and providing for their location."†

[*See orig. act, ante, chap. 649.*]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the western boundary of the tract of country set apart by the act of the sixteenth of April, one thousand eight hundred and fourteen, entitled "An act confirming certain claims to land in the Illinois territory, and providing for their location,"‡ be extended upon the river Mississippi, to the middle thereof, so as to include all islands in said river, between the middle and eastern margin, throughout the length of said line; and that all or any of the said islands shall be subject to be appropriated under the said recited act.

The western boundary of the tract set apart by the act confirming certain claims to land in the Illinois, &c. extended to the middle of the Mississippi, &c. [*Ante, ch. 649.*]

The proviso contained in the 4th sec. of the act referred to, repealed, so far, &c. Persons settled on fractions of

SECT. 2. *And be it further enacted*, That the proviso contained in the fourth section of the before recited act be repealed, so far as it regards persons settled on fractions of sections or quarter sections containing less than one hundred and sixty acres; and that such persons, under the like circumstances, shall be consi-

dered as entitled to all the rights, benefits, and advantages, specified in the said fourth section, as those settled on sections or quarter sections, and also to any right, privilege, or advantage, secured by this act: *Provided, however,* That such persons shall not be permitted, in such cases, to take less than the whole quantity of such fractional quarter section on which they are respectively settled.

SECT. 3. *And be it further enacted,* That every person or persons, who settled on and improve any of the lands in the said territory, reserved for the use of schools or seminaries of learning, before the fifth day of February, one thousand eight hundred and thirteen, and who would have had the right of pre-emption thereto had not the same been reserved as aforesaid, shall be entitled to the pre-emption of the like quantity of other land, upon the same terms, and under the same restrictions, provided by the fourth section of the said recited act, to be located on any lands within the boundary specified in this and the said recited act, not otherwise appropriated; and such persons shall also be entitled to the benefit of, and subject to, the restrictions contained in this act.

SECT. 4. *And be it further enacted,* That all and every person or persons entitled to the pre-emption of lands, under the fourth section of the before recited act,\* who failed to locate their claims within the time limited in said act, and which lands have been appropriated by others, shall be entitled to the pre-emption of the like quantity as they could have appropriated under the said act, or under the provisions of this act, to be located on any land within the boundary specified in this and the said recited act, not previously appropriated.

SECT. 5. *And be it further enacted,* That all and every person or persons, entitled to the pre-emption of lands under the provisions of this act, shall conform to, and be governed by, the rules prescribed in the said recited act,† in locating, proving, and completing, their titles respectively, except in cases where the same is changed by this act.

SECT. 6. *And be it further enacted,* That it shall be the duty of the register of the land office for the district of Kaskaskia to give notice, by an advertisement inserted, for one month, in at least one newspaper published in the said territory, to all persons entitled to a pre-emption in the purchase of any tract of land, by virtue of this or the before recited act, that they may make such purchase, on application to him at his office, on or before the first day of May, in the year one thousand eight hundred and sixteen; and every person failing or refusing to enter, with the said register, the land to which the right of pre-emption is so secured, notice being given as before mentioned, within the time aforesaid, shall lose his, her, or their, right of pre-emption.

SECT. 7. *And be it further enacted,* That the locations of any confirmed claim, made by virtue of any authority given by the commissioners appointed to examine the claims of persons to land in the Illinois territory, shall be, and the same are hereby, confirmed: *Provided,* That the provisions of this section shall not

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sections, &c. entitled to all the rights specified, &c. *Provided;* the persons settled, &c. not permitted to take less than the whole of the fractional quarter section, &c.

Persons who settled on and improve any of the lands in the Illinois territory, reserved for schools, &c. before the 5th Feb. 1813, and who, &c. entitled to the pre-emption of the like quantity of other land, upon the same terms, &c.

Persons entitled to the pre-emption of lands, under the 4th sec. of the act referred to, who failed to locate their claims, &c. entitled to the pre-emption of the like quantity, &c. [*Ante*, ch. 649.]

Persons entitled to pre-emption under this act, to conform to the provisions of the act referred to, except, &c. [*Ante*, ch. 649.]

The register for the district of Kaskaskia to give notice, &c.

Persons failing or refusing to enter the land with the register, lose their right, &c.

The locations of any confirmed claim, made, &c. confirmed.

*Provided;* the provisions of

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this section not to extend to locations made without authority from the commissioners, nor, &c.

The register and receiver at Kaskaskia allowed the same commission on confirmed claims as on moneys for lands sold, &c.

[\* Private.]  
Ann Gilham may locate any unappropriated quarter section within the Illinois territory, &c.

be so construed as to extend to any locations made by any person or persons without any authority from the commissioners aforesaid; nor shall it affect the claims of any other person or persons.

SECT. 8. *And be it further enacted*, That the register and receiver of public moneys of the land office at Kaskaskia shall be allowed the same commission, respectively, on the confirmed claims, which have been or shall be received in payment for land entered at the said office, as they are now entitled to on moneys received in payment for lands sold, calculating the value of the confirmed claims at the rate of two dollars per acre.

SECT. 9.\* *And be it further enacted*, That it shall be lawful for Ann Gilham to locate any unappropriated quarter section within the Illinois territory; and whenever the said Ann Gilham shall enter, with the register of the land office at Kaskaskia, any unappropriated quarter section, it shall be the duty of the register to issue, to the said Ann Gilham, a certificate specifying therein the quarter section so located; and it shall be the duty of the commissioner of the general land office to issue a patent for the land so located, whenever the certificate aforesaid shall be presented to him for that purpose.

[Approved, February 27, 1815.]

#### CHAP. 746. An act to repeal certain acts therein mentioned.

The act authorizing the president to accept state troops and volunteers, and the act to authorize a corps of sea fencibles, repealed.  
[† Ante, ch. 707.]  
[‡ Ante, ch. 888.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the act, entitled "An act to authorize the president of the United States to accept the services of state troops, and of volunteers,"† and the act, entitled "An act to authorize the raising a corps of sea fencibles,"‡ be, and the same are hereby, repealed.

[Approved, February 27, 1815.]

#### CHAP. 747. An act in addition to the act regulating the post office establishment.

The postmaster general to allow the postmasters an adequate commission on the moneys arising from postage. Proviso; the commission not to exceed the rates specified.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the postmaster general be, and is hereby, authorized to allow to the postmasters, respectively, such commission on the moneys arising from the postage of letters, newspapers, and packets, as shall be adequate to their respective services and expenses: *Provided*, That the said commission shall not exceed the following several rates on the amount collected in one quarter; that is to say:

On a sum not exceeding one hundred and fifty dollars, twenty per cent.

On a sum not exceeding four hundred and fifty dollars, seven-  
teen per cent.

On a sum not exceeding three thousand dollars, thirteen per cent.

On any sum over three thousand six hundred dollars, five per cent. 1815.

He may also allow the postmasters at distributing post offices, a commission of four per cent. on any sum of postages distributed, not exceeding four thousand dollars, and a commission of three per cent. on any sum of postages distributed over four thousand dollars.

A commission to postmasters at distributing offices, &c.

He may also allow to such postmasters as receive and despatch foreign mails, a sum not exceeding twenty-five dollars per quarter year, for that service; and he may augment the commission of those postmasters who receive the mail regularly between the hours of nine o'clock in the evening and five o'clock in the morning, from twenty to thirty-three and one-third per cent: on one hundred and fifty dollars received in each quarter.

Allowance to postmasters who receive and despatch foreign mails; and augmentation to those who receive the mail between 9 and 6, &c.

He may also allow to each postmaster one cent for each free letter delivered out of his office, and one cent for each free letter originally received by him and forwarded by mail.

Allowance for free letters, &c.

He may also allow to each postmaster ten cents for every monthly register of the arrival and departure of the mail, returned to the general post office. The postmaster general may also allow to the postmasters, respectively, a commission of thirty-three and one-third per cent. on the amount of postages which they shall collect on newspapers, magazines, and pamphlets; but no allowance for distribution, or for free letters, shall be made to any postmaster who shall collect postages to the amount of five thousand dollars in one quarter.

Allowance for every monthly register of the arrival and departure of the mail.

Allowance for postages collected on newspapers, &c. but, &c.

**SECT. 2.** *And be it further enacted,* That this act shall be in force on and after the first day of April next, and thereupon all other acts and clauses thereof providing compensation or allowance to any postmaster or postmasters, shall cease to have effect, and are hereby repealed: *Provided,* That nothing herein contained shall be construed to affect, alter, or repeal, the provisions of the fortieth section of the act regulating the post office establishment.\*

This act to be in force on and after the 1st April, 1815, and other acts allowing compensation to postmasters repealed. *Provided;* nothing to repeal the 40th sect. of the act referred to. [\* Ante, ch. 363.]

**SECT. 3.** *And be it further enacted,* That the postmaster general be authorized to have the mail carried in any steam boat, or other vessel, which shall be used as a packet, in any of the waters of the United States, on such terms and conditions as shall be considered expedient: *Provided,* That he do not pay more than three cents for each letter, and each packet, and more than one half cent for each newspaper, conveyed in such mail.

The postmaster general authorized to have the mail carried in any steam boat, &c.

*Provided;* as to the compensation for such conveyance.

**SECT. 4.** *And be it further enacted,* That it shall be the duty of every master or manager of any steam boat, packet, or other vessel, which shall pass from one port or place to another port or place, in the United States, where a post office is established, to deliver, within three hours after his arrival, if in the day time, and within two hours after the next sunrise, if the arrival be in the night, all letters and packets addressed to, or destined for, such port or place, to the postmaster there, for which he shall be entitled to receive of such postmaster two cents for every letter or packet so delivered, unless the same shall be carried or conveyed under a contract with the postmaster general; and if

Masters, &c. of steam boats, &c. to deliver letters &c. to the postmaster on their arrival, &c. and to receive two cents for each; unless, &c.



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Masters, &c. failing to deliver any letter, &c. to incur a penalty of 30 dollars, &c.

any master or manager of a steam boat, or other vessel, shall fail so to deliver any letter, or packet, which shall have been brought by him, or shall have been in his care, or within his power, he shall incur a penalty of thirty dollars for every such failure.

Persons employed on board any steam boat, &c. to deliver letters, &c. to the master, &c. or incur a penalty of 10 dollars, &c.

SECT. 5. *And be it further enacted*, That every person employed on board any steam boat, or other vessel employed as a packet, shall deliver every letter, and packet of letters, intrusted to such person, to the master or manager of such steam boat, or other vessel, and before the said vessel shall touch at any other port or place; and for every failure, or neglect so to deliver, a penalty of ten dollars shall be incurred for each letter and packet. [Approved, February 27, 1815.]

[Private.]

CHAP. 748. An act for the relief of William H. Washington.\*

The proper accounting officers of the war department directed to ascertain the value of the house belonging to William H. Washington, &c. lately destroyed, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the proper accounting officers of the war department be, and they are hereby, authorized and directed to ascertain the value of the house belonging to William H. Washington, situated near the west end of the Potowmac bridge, and which was lately destroyed by order of an officer of the United States; which valuation shall be made in such manner, and upon such terms, as may embrace the justice of his case.

The value to be paid out of the treasury, &c.

SECT. 2. *And be it further enacted*, That the value thereof, when ascertained, shall be paid, out of any money in the treasury, not otherwise appropriated, upon the said William H. Washington releasing to the United States all claim on account of the destruction of the aforesaid house.

[Approved, March 1, 1815.]

[Private.]

CHAP. 749. An act for the relief of Solomon Frazer, and the representatives of Charles Eccleston.†

Solomon Frazer, &c. released from the payment of the amount of a judgment obtained against him as security, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That Solomon Frazer, and the representatives of Charles Eccleston, of the state of Maryland, be, and they are hereby, released from the payment of the amount of a judgment obtained against Solomon Frazer, as security for James Frazer, collector of the port of Vienna, in the state of Maryland: *Provided, however*, That nothing in this act contained, shall be considered as releasing from the claim of the United States any property of James Frazer, which may be in possession of his representatives. [Approved, March 1, 1815.]

Provido; nothing herein to release the property of James Frazer, in possession, &c.

[Private.]

CHAP. 750. An act for the relief of the heirs of James Hynum.‡

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That

the heirs of James Hynum, of the Mississippi territory, shall be entitled to a donation of two hundred and twenty-six acres of land, according to the provisions of an act of congress, passed the third day of March, in the year one thousand eight hundred and three, entitled "An act regulating the grants of land, and providing for the disposal of the lands, of the United States, south of the state of Tennessee,"\* to be located, surveyed, and granted, in the manner prescribed in the said recited act; and to be subject to the dower of the widow of the said James Hynum, as fully and completely as if the title to the said land had been vested in the said James Hynum.

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The heirs of James Hynum, &c. entitled to a donation of 226 acres of land, according to the provisions of the act referred to, subject to the dower of the widow, &c. [\*Ch. 340, vol. 3.]

SECT. 2. *And be it further enacted by the authority aforesaid,* That all sums of money paid by Margaret Hynum, widow of the said James Hynum, since the death of the said James, as part of the price of the said land, in contemplation of a purchase thereof, shall be refunded to the said Margaret; and the receiver of public moneys in the land district west of Pearl river is hereby directed to pay the same to the said Margaret, out of any public money now in his hands, or which may hereafter come to his hands. [*Approved, March 1, 1815.*]

All sums paid by Margaret Hynum, &c. as part of the price of the land, &c. to be refunded to her, &c.

#### CHAP. 751. An act to alter and establish certain post roads.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the following post roads be, and the same are hereby, discontinued; that is so say: From Columbia, by Shelbyville, and Winchester, to Fayetteville, in Tennessee. From Tellico, in Tennessee, by Amoy river, Vanstown, and Tuckeytown, to Fort Stoddard, in Mississippi territory; and from Tuckabatchy, by Tensaw, and Fort Stoddart, to Pascagoola river, in Mississippi territory; from Cynthiana to Georgetown, in Kentucky. In North Carolina, from Washington to Lake Landing, on Motamuskeet. From Concord, by Loudon, Gilmanston, Meredith, New Holderness, to Plymouth; thence, by New Hampton, Sanbornton, Northfield, and Canterbury, to Concord.

The post roads mentioned discontinued.

SECT. 2. *And be it further enacted,* That the following be established post roads; that is to say:

Post roads established.

*In New Hampshire.* From Concord to Fryeburgh, in Maine. From Concord, by Salisbury, Andover, New Chester, Bridgewater, Plymouth, thence by New Holderness, New Hampton, Sanbornton, Salisbury, to Concord. From Exeter, by Brentwood, Poplin, Raymond, Candia, and Pembroke, to Concord.

In New Hampshire.

*In Vermont.* From Chester South village, by Andover, Weston, Land Grove, and Peru, to Manchester. From Salem, New York, by Rupert, Paulet, Middleton, and Ira, to Rutland.

In Vermont.

*In Maine.* From Kennebunk to Alfred. From Prospect, by Mount Ephraim, to Frankfort.

In Maine.

*In Massachusetts.* From Hosack, New York, by Pawnal, Vermont, to Williamstown. From Northampton, by Hadley, Sunderland, and Montague, to Northfield. From Foxborough, by Mansfield, and Norton, to Taunton.

In Massachusetts.

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*In Connecticut.* That the post road from Norwalk, by Reading, to Danbury, pass through Saugatuck, and by the townhouse in Reading.

*In New York.* From Hadley Landing, in Saratoga, to Luzern, in Warren county. From Hamilton village, by Guilderland, Berne, Schoharie Courthouse, the Brick Church in Cobleskill, Colonel I. Steward's, and Maryland, to Milford. From West Point to Haverstraw. From Burrage Mills, in Coventry, to Oxford. That the mail from Huntington be carried by the north road to Smithtown, instead of the south road. From Stillwater, by Dunning street, in Malta, and the south end of Saratoga Lake, to Ballston Springs, thence, by the north end of Saratoga Lake, and by Rogers' Mills, to Stillwater. From Manlius, in Onondaga county, to Elbridge, in Camillus, thence to Auburn, in Cayuga county. From Bainbridge, through Coventry, to Green.

*In New Jersey.* From Newark, by Orange Dale, and Hanover, to Morristown. From Asbury, in Mansfield township, by Hacketstown, Greenville, Newtown, and Frankfort, to Deckertown.

*In Pennsylvania.* From Huntington, by Woodcock Valley, Bedford, and Cumberland Valley, to Cumberland, in Maryland. From Mercer to New Castle. From Lancaster to Lebanon. From York, by Dover, Rosstown, Lewisburg, and Lisburn, to Carlisle.

*In Ohio.* From Zanesville to Coshocton. From Wheeling, in Virginia, by Stephen Scott's, at the mouth of Fishing Creek, to Marietta. From Delaware, in Ohio, by Norton, Upper Sandusky, and Lower Sandusky, to Fort Meigs. From Lebanon to Hamilton.

*In Maryland.* From Baltimore, by Queenstown, Hillsborough, and Denton, to Milford. From Westminster, in Frederick county, through Uniontown, Middleburgh, Greenham, Mechanickstown, and Cavetown, to Hagerstown. From Elkton, by Sabinton, to Georgetown Cross Roads.

*In Virginia.* From Lindsay's store, by Barboursville, and Stannardsville, to Harrisonburg. From Richmond to Lindsay's store, in Albemarle county. From Colesville, in Chesterfield county, by Halcomb's and Dennis's, to Amelia Courthouse, in lieu of the present route from Colesville to Amelia Courthouse. From Parkersburg, in Wood county, to Point Pleasant; that the route from Hopkins' tavern to Powhatan Courthouse, pass by way of Genito Bridge. That the postmaster general be authorized to send a mail from Port Tobacco, in Maryland, to Hanover town, so long as a stage shall run on that route. From the town of Petersburg, Virginia, by the Double Bridges, and John Key's tavern, in the county of Lunenburg, to Charlotte Courthouse. From Williesburg, in Charlotte county, by doctor Snead's, in Halifax county, to Cunningham's store, in Person county, North Carolina.

*In Kentucky.* From Cynthiana, by Paris, and Winchester, to Richmond. From Isbelville to Clarksville, Tennessee. From Lexington to Georgetown. From Cincinnati, by Kennedy's,

Gaines's, and Arnold's, on the ridge road, to Georgetown. 1815.  
From Glasgow to Allen Courthouse, and from Allen Courthouse to Bowling Green. From Middletown to Westport.

*In North Carolina.* From Washington, by Bath, John Adams's, In North Carolina.  
the Log House Landing, on Pungo river, and Germantown, to the Lake Landing, in Matamuskeet. From Tarborough to Cobb's Bridge, in Edgecomb county. From Bryant's Cross Roads to Windsor. From Tarborough to Scotland Neck. From Pittsborough, by Liberty, and Gardner's store, to Lexington.

*In Tennessee.* From Nashville, by Harpeth Settlement, and In Tennessee.  
Shelbyville, to Fayetteville. From Rhea Courthouse, by Highwasy Garrison, Ross Fort, and Fort Jackson, to Fort St. Stephens.

*In South Carolina.* From Marion Courthouse, by Harleysville, to Marlborough, to return by Brownsville, to Marion Courthouse. From Cheraw Courthouse, by the Burnt Saw Mills, on Lynch's creek, Williamsburg Courthouse, and Murray's Ferry, on Santee, to Monk's Corner. In South Carolina.

*In the Mississippi Territory.* From the Choctaw agency, by In the Mississippi territory.  
John Ford's, on Pearl river, to New Orleans, in the state of Louisiana.

*In the Illinois Territory.* From Johnson Courthouse to Salem, in Kentucky. In the Illinois territory.  
[Approved, March 1, 1815.]

CHAP. 752. An act authorizing the discharge of Edward Martin from imprisonment.\* [\* Private.]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the marshal of the district of Rhode Island be, and he hereby is, authorized and directed to discharge from imprisonment Edward Martin, of Newport, in the state of Rhode Island, now confined in gaol at Newport, in said district, at the suit of the United States: *Provided,* That the said Edward Martin shall remain liable to the United States for the amount of the bond executed by Andrew Oburg, captain of the Swedish schooner Lichlighten, as principal, and by the said Martin, and George W. Martin, sureties, and renew his obligation to the United States for said amount, payable in two years from the day of his discharge, in such form as the attorney of the United States for the district aforesaid shall think proper. [Approved, March 3, 1815.]

The marshal of the district of Rhode Island directed to discharge Edward Martin from imprisonment. &c.

Proviso: Edward Martin to remain liable for the amount of the bond executed by Andrew Oburg, &c.

CHAP. 753. An act making appropriations for the support of the military establishment for the year one thousand eight hundred and fifteen.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for defraying the expenses of the military establishment of the United States, for the year one thousand eight hundred and fifteen, for ordnance, fortifications, and the Indian department, the

Sums appropriated for defraying the expenses of the military establishment

1815.

for the year  
1815, &c.For the pay of  
the army.

or forage.

For subsistence.

The medical  
and hospital de-  
partment.

For clothing.

For the quar-  
termaster's depart-  
ment.For artillery  
horses.For ordnance  
and ordnance  
stores.For fortifica-  
tions.For contingen-  
cies.For the Indian  
department.For three  
months' pay to  
deranged offi-  
cers, &c.The preceding  
appropriations  
to be paid out  
of moneys in the  
treasury, &c.

following sums be, and the same are hereby, respectively, ap-  
propriated; that is to say:

For the pay of the army of the United States, including the  
private servants kept by officers, nine hundred thousand dollars.

For forage to officers, one hundred and twenty-five thousand  
dollars.

For subsistence of the army, seven hundred thousand dollars.

For the medical and hospital department, fifty thousand dol-  
lars.

For clothing, three hundred and twenty-five thousand dol-  
lars.

For the quartermaster's department, two hundred thousand  
dollars.

For purchasing horses for artillery, one hundred thousand  
dollars.

For ordnance and ordnance stores, including arsenals, maga-  
zines, and armories, nine hundred and thirty-eight thousand  
three hundred thirty-eight dollars.

For fortifications, four hundred thousand dollars.

For contingencies, two hundred thousand dollars.

For the Indian department, two hundred thousand dollars.

For advancing three months' pay to the officers deranged,  
and noncommissioned officers and privates discharged, one  
million two hundred thousand dollars.

SECT. 2. *And be it further enacted*, That the several appro-  
priations hereinbefore made, shall be paid out of any moneys  
in the treasury, not otherwise appropriated.

[*Approved, March 3, 1815.*]

CHAP. 754. An act making further provision for completing the public  
buildings at West Point for the accommodation of the military academy.

SECT. 1. *Be it enacted by the senate and house of representa-  
tives of the United States of America in congress assembled*, That  
the sum of twenty thousand dollars be, and the same is hereby,  
appropriated, to be paid out of any money in the treasury, not  
otherwise appropriated, for completing buildings, and for pro-  
viding an apparatus, a library, and all necessary implements, and  
for such contingent expenses as may be necessary and proper, in  
the judgment of the president of the United States, for the bet-  
ter support and accommodation of the military academy at West  
Point. [*Approved, March 3, 1815.*]

20,000 dolls. ap-  
propriated for  
completing  
buildings, for  
apparatus, li-  
brary &c. ne-  
cessary and pro-  
per for the mili-  
tary academy  
at West Point.

CHAP. 755. An act making appropriations for the support of the navy of the  
United States for the year one thousand eight hundred and fifteen.

SECT. 1. *Be it enacted by the senate and house of representa-  
tives of the United States of America in congress assembled*, That,  
for defraying the expenses of the navy, for the year one thousand  
eight hundred and fifteen, the following sums be, and are hereby,  
respectively, appropriated; that is to say:

Sum appropriated for defray-  
ing the expen-  
ses of the navy,  
for the year  
1815.

For pay and subsistence of the officers, and pay of the seamen, **1815.**  
 one million five hundred thirty-eight thousand three hundred  
 sixty-four dollars and fifty cents.

For provisions, six hundred and seventy-three thousand nine  
 hundred and seventy-two dollars and fifty cents.

For medicine, hospital stores, and all expenses on account of  
 the sick, forty thousand dollars.

For repairs of vessels, five hundred thousand dollars.

For contingent expenses, including freight, transportation, and  
 recruiting expenses, five hundred and fifty thousand dollars.

For ordnance, ammunition, and military stores, three hundred  
 thousand dollars.

For navy yards, docks, and wharves, one hundred and sixty  
 thousand dollars.

For pay and subsistence of the marine corps, one hundred and  
 ninety thousand and twenty dollars.

For clothing for the same, sixty thousand three hundred and  
 fifty-seven dollars.

For military stores for the same, one thousand six hundred  
 dollars.

For contingent expenses for the same, eighteen thousand se-  
 ven hundred and eight dollars.

For the purchase of the vessels captured by commodore Mac-  
 donough, on lake Champlain, such sum as shall be agreed upon,  
 with the approbation of the president, not exceeding four hun-  
 dred thousand dollars.

**SECT. 2.** *And be it further enacted,* That the several appropri-  
 ations hereinbefore made, shall be paid out of any moneys in the  
 treasury, not otherwise appropriated.

[*Approved, March 3, 1815.*]

**CHAP. 756.** An act for the relief of the Eastern Branch Bridge Company.\* [\* Private.]

**SECT. 1.** *Be it enacted by the senate and house of representa-  
 tives of the United States of America in congress assembled,* That  
 the proper accounting officers of the navy department be, and  
 they are hereby, authorized and directed to settle the claim of  
 the Eastern Branch Bridge Company, on account of the injury  
 done their bridge, by an order from the navy department, by as-  
 certaining, or causing to be ascertained, the value of such injury,  
 in such manner, and upon such terms, as may be just and rea-  
 sonable.

**SECT. 2.** *And be it further enacted,* That the amount thereof,  
 when so ascertained, shall be paid, to the president and directors  
 of the said company, out of any money in the treasury, not  
 otherwise appropriated, to be applied to the repairing or rebuild-  
 ing of the said bridge. [*Approved, March 3, 1815.*]

1815.

[\* Private.]

CHAP. 757. An act for the relief of William P. Bennet, of the state of New York.\*

The secretary of the treasury required to discharge Wm. P. Bennet from imprisonment, &c. provided, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the secretary of the treasury be, and he is hereby, authorized and required to discharge from his imprisonment William P. Bennet, of Seneca county, in the state of New York: Provided, however, That the said Bennet shall, previous to obtaining such discharge, comply with the provisions of the act, entitled "An act for the relief of persons imprisoned for debts due to the United States."*† [Approved, March 3, 1815.]

[† Ch. 66, vol. 3.]

CHAP. 758. An act to repeal so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty on tonnage, between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States.

So much of the acts imposing duties on tonnage, and on goods, &c. as imposes a discriminating duty, &c. repealed, so far, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares, and merchandise, imported into the United States, as imposes a discriminating duty of tonnage, between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States, be, and the same are hereby, repealed, so far as the same respects the produce or manufacture of the nation to which such foreign ships or vessels may belong. Such repeal to take effect in favor of any foreign nation, whenever the president of the United States shall be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States, have been abolished.*

[Approved, March 3, 1815.]

The repeal to take effect when the president is satisfied that foreign countervailing duties, &c. have been abolished.

[‡ Private.]

CHAP. 759. An act for the relief of the Anacosta Bridge Company.‡

The proper accounting officers of the war department directed to settle the claim of the Anacosta Bridge Company, for injury sustained, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the proper accounting officers of the war department be, and they are hereby, directed to audit and settle the claim of the Anacosta Bridge Company, on account of the injury sustained by them in the destruction of their bridge over the Eastern Branch of the Potowmac, by ascertaining, or causing to be ascertained, the value of the injury thereof, at the time of such destruction, in such manner, and upon such terms, as may embrace the merits of their claim.*

The amount to be paid, &c.

SECT. 2. *And be it further enacted, That the amount of such valuation, when so ascertained, shall be paid to the said company, or their agent, legally authorized, out of any money in the*

treasury, not otherwise appropriated, upon such company, or owners, releasing to the United States all claim on account of the injury aforesaid, and that the same be applied to the purpose of rebuilding or repairing the said bridge. 1815.  
and applied to  
repairing the  
bridge, &c.

[Approved, March 3, 1815.]

CHAP. 760. An act fixing the military peace establishment of the United States.\* [\* See the note  
at the end of  
this chapter.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the military peace establishment of the United States shall consist of such proportions of artillery, infantry, and riflemen, not exceeding, in the whole, ten thousand men, as the president of the United States shall judge proper, and that the corps of engineers, as at present established, be retained. The military  
peace establish-  
ment to consist  
of not exceed-  
ing 10,000 men,  
&c.  
The corps of  
engineers to be  
retained.

SECT. 2. *And be it further enacted,* That the corps of artillery shall have the same organization as is prescribed by the act passed the thirtieth of March, one thousand eight hundred and fourteen;† and the regiment of light artillery the same organization as is prescribed by the act passed the twelfth day of April, one thousand eight hundred and eight;‡ and that each regiment of infantry and riflemen shall consist of one colonel, one lieutenant colonel, one major, one adjutant, one quartermaster, one paymaster, one surgeon, and two surgeon's mates, one sergeant major, one quartermaster sergeant, two principal musicians, and ten companies; each company to consist of one captain, one first lieutenant, and one second lieutenant, four sergeants, four corporals, two musicians, and sixty-eight privates. Organization,  
&c.  
[† Ante, ch. 686.]  
[‡ Ante, ch. 147.]

SECT. 3. *And be it further enacted,* That there shall be two major generals, and four brigadier generals; the major generals to be entitled to two aids de camp, and the brigadier generals to one aid de camp, each, to be taken from the subalterns of the line; four brigade inspectors, and four brigade quartermasters, and such number of hospital surgeons and surgeon's mates, as the service may require, not exceeding five surgeons and fifteen mates, with one steward and one wardmaster to each hospital. The brigade inspectors, appointed under this act, shall be taken from the line, and the brigade quartermasters, the adjutants, regimental quartermasters, and paymasters, from the subalterns of the line. Two major g-  
enerals and four  
brigadiers, &c.  
Brigade inspec-  
tors from the  
line; brigade  
quartermas-  
ters, &c. from  
the subalterns,  
&c.

SECT. 4. *And be it further enacted,* That the compensation, subsistence, and clothing, of the officers, cadets, noncommissioned officers, musicians, artificers, and privates, composing the military peace establishment, shall be the same as are prescribed by the act, entitled "An act fixing the military peace establishment of the United States,"§ passed sixteenth March, one thousand eight hundred and two, and the act, entitled "An act to raise, for a limited time, an additional military force,"|| passed twelfth April, one thousand eight hundred and eight; and that the major generals shall be entitled to the same compensation as Compensation,  
subsistence,  
clothing, &c.  
[§ Ch. 209, vol. 3.]  
[|| Ante, chap.  
147.]



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[\*Ante ch. 337.]

The president to cause the officers, privates, &c. to be arranged, and supernumeraries to be discharged, &c.

Three months' pay additional to each commissioned officer deranged, &c.

The several corps to be subject to the rules and articles of war; and the officers, privates, &c. to be entitled to the same provision for wounds, &c. benefits, allowances, &c. as authorized by the act mentioned.

[† Ch. 369, vol. 3.]

[‡ Ante, ch. 147.]

is provided by an act, entitled "An act to raise an additional military force,"\* passed eleventh January, one thousand eight hundred and twelve.

SECT. 5. *And be it further enacted*, That the president of the United States cause to be arranged, the officers, noncommissioned officers, musicians, and privates, of the several corps of troops now in the service of the United States, in such a manner as to form and complete out of the same the corps authorized by this act, and cause the supernumerary officers, noncommissioned officers, musicians, and privates, to be discharged from the service of the United States, from and after the first day of May next, or as soon as circumstances may permit.

SECT. 6. *And be it further enacted*, That to each commissioned officer, who shall be deranged by virtue of this act, there shall be allowed and paid, in addition to the pay and emoluments to which they will be entitled by law at the time of his discharge, three months' pay.

SECT. 7. *And be it further enacted*, That the several corps authorized by this act, shall be subject to the rules and articles of war, be recruited in the same manner, and with the same limitations; and that officers, noncommissioned officers, musicians, and privates, shall be entitled to the same provision for wounds and disabilities, the same provision for widows and children, and the same benefits and allowances in every respect, not inconsistent with the provisions of this act, as are authorized by the act of sixteenth March, one thousand eight hundred and two, entitled "An act fixing the military peace establishment of the United States,"† and the act of the twelfth April, one thousand eight hundred and eight, entitled "An act to raise, for a limited time, an additional military force;"‡ and that the bounty to the recruit, and compensation to the recruiting officer, shall be the same as are allowed by the aforesaid act of the twelfth of April, one thousand eight hundred and eight.

[Approved, March 3, 1815.]

[NOTE. By the preceding act, all the provisions of acts relating to the military establishment, of a prior date, and not referred to and recognised therein, are presumed to have been rendered obsolete; except as to such bounties, benefits, and allowances, which accrued, under those acts, to officers and soldiers, in virtue of their appointments, enlistments, services, wounds, and disabilities.]

#### CHAP. 761. An act concerning invalid pensioners.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the secretary of war be, and he is hereby, directed to place the following named persons, whose claims have been transmitted to congress, pursuant to a law passed the tenth day of April, eighteen hundred and six,§ on the pension list of invalided pensioners of the United States, according to the rates, and to commence at the times, herein mentioned; that is to say:

The secretary of war directed to place the persons named on the pension list, &c.  
[§ Ante ch. 35.]

**Robert Holberd**, at the rate of five dollars per month, to commence on the thirtieth day of March, one thousand eight hundred and fourteen. 1815.

Names of pensioners and rates of pensions, &c.

**Eli Short**, at the rate of three dollars and seventy-five cents per month, to commence the thirtieth day of March, one thousand eight hundred and fourteen.

**Spencer Darnell**, at the rate of five dollars per month, to commence on the fourteenth day of February, eighteen hundred and fourteen.

**Abraham Estes**, at the rate of three dollars and seventy-five cents per month, to commence the seventeenth day of April, eighteen hundred and fourteen.

**Willis Tandy**, at the rate of one dollar and twenty-five cents per month, to commence the seventeenth day of April, eighteen hundred and fourteen.

**Samuel Sharon**, at the rate of two dollars and fifty cents per month, to commence the seventeenth day of August, eighteen hundred and fourteen.

**Alexander Naismith**, at the rate of two dollars and fifty cents per month, to commence the twentieth day of August, eighteen hundred and fourteen.

**Isaac Gray**, at the rate of six dollars and sixty-six cents per month, to commence the twenty-second day of September, eighteen hundred and fourteen.

**Thomas Williams**, at the rate of two dollars and fifty cents per month, to commence the twenty-seventh day of July, eighteen hundred and fourteen.

**John R. Rappleye**, at the rate of five dollars per month, to commence the second day of September, eighteen hundred and fourteen.

**John Sweeny**, at the rate of seven dollars and fifty cents per month, to commence the seventeenth of March, eighteen hundred and fourteen.

**Joshua Merrill**, at the rate of two dollars and fifty cents per month, to commence the fourth of August, eighteen hundred and fourteen.

**Grieve Drummond**, at the rate of five dollars per month, to commence the twenty-eighth day of January, eighteen hundred and fifteen.

**John Ward**, at the rate of two dollars and fifty cents per month, to commence the thirtieth day of November, eighteen hundred and fourteen.

**Charles Rumsey**, at the rate of five dollars per month, to commence the twelfth day of July, eighteen hundred and fourteen.

**Grant Taylor**, at the rate of five dollars per month, to commence the twenty-fourth day of November, eighteen hundred and fourteen.

**Henry Bateman**, at the rate of five dollars per month, to commence the seventh day of March, eighteen hundred and fourteen.

**John Norton**, at the rate of two dollars and fifty cents per month, to commence the eleventh day of May, eighteen hundred and fourteen.

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Names of pen-  
sioners and  
rates of pen-  
sions, &c.

Jesse Young, at the rate of five dollars per month, to commence the sixth day of August, one thousand eight hundred and fourteen.

Daniel Averill, at the rate of two dollars and fifty cents per month, to commence the third day of January, eighteen hundred and fourteen.

John Bell, at the rate of ten dollars per month, to commence the ninth day of September, eighteen hundred and fourteen.

Minny Ryneason, at the rate of two dollars and fifty cents per month, to commence the sixth day of January, eighteen hundred and fifteen.

William Bond, at the rate of five dollars per month, to commence the eighth day of December, eighteen hundred and fourteen.

Richard Osburn, at the rate of two dollars and fifty cents per month, to commence the fifth day of September, eighteen hundred and fourteen.

Julius Turner, at the rate of three dollars and seventy-five cents per month, to commence the eighteenth day of August, eighteen hundred and fourteen.

William Cook, at the rate of two dollars and fifty cents per month, to commence the eighteenth day of August, eighteen hundred and fourteen.

John Frazer, at the rate of three dollars and seventy-five cents per month, to commence the sixteenth day of November, eighteen hundred and fourteen.

Christopher Sites, at the rate of two dollars and fifty cents per month, to commence the seventeenth day of February, eighteen hundred and fifteen.

William Barton, at the rate of thirty dollars per month, to commence the first day of January, eighteen hundred and fifteen.

William Berry, at the rate of five dollars per month, to commence the thirty-first day of March, eighteen hundred and fourteen.

James M'Neal, at the rate of five dollars per month, to commence on the thirteenth day of September, eighteen hundred and fourteen.

Emanuel Kent, junior, at the rate of five dollars per month, to commence the thirteenth day September, eighteen hundred and fourteen.

Jeremiah Searcy, of South Carolina, at the rate of five dollars per month, to commence from the third of March, eighteen hundred and fifteen.

SECT. 2. *And be it further enacted*, That the pensions of the following persons, already placed on the pension list of the United States, whose claims for an increase of pension have been transmitted to congress pursuant to the act aforesaid,\* be increased to the sums herein respectively annexed to their names. The said increase to commence at the times herein mentioned; that is to say:

The pensions  
of the persons  
named, &c. to  
be increased,  
&c.  
[\* Ante, ch. 25.]

Charles Hanton, at the rate of two dollars and fifty cents per month, to commence the fourteenth day of November, eighteen hundred and fourteen. 1815.

Names of persons whose pensions are to be increased, &c.

Thomas Williams, at the rate of five dollars per month, to commence the twenty-ninth of October, eighteen hundred and fourteen.

Samuel White, at the rate of three dollars and seventy-five cents per month, to commence the twenty-eighth day of December, eighteen hundred and fourteen.

Thomas Machin, at the rate of twenty dollars per month, to commence the twenty-ninth day of October, eighteen hundred and fourteen.

John M'Clennon, at the rate of five dollars per month, to commence the third day of November, eighteen hundred and fourteen.

Richard Gressum, at the rate of five dollars per month, to commence the eighth day of November, eighteen hundred and fourteen. [Approved, March 3, 1815.]

CHAP. 762. An act to provide a library room, and for transporting the library lately purchased.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized to cause a proper apartment to be immediately selected and prepared for a library room, and to cause the library, lately purchased from Thomas Jefferson, to be placed therein during the ensuing recess of congress.

The president authorized to cause a library room to be prepared, &c. and the library purchased from Thomas Jefferson to be placed therein, &c.

SECT. 2. *And be it further enacted*, That the accounting officers of the treasury be, and they are hereby, authorized and directed to settle the account of the expenditures incurred under this act; and that the amount so settled shall be paid out of any moneys in the treasury, not otherwise appropriated.

The officers of the treasury to settle the account of expenditures incurred under this act, &c.

[Approved, March 3, 1815.]

CHAP. 763. An act concerning the naval establishment.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in addition to the sums heretofore appropriated for that purpose, the sum of two hundred thousand dollars be, and the same is hereby, appropriated, annually, for three years, towards the purchase and supply of a stock of every description of timber, required for ship building, and other naval purposes, to be paid out of any moneys in the treasury, not otherwise appropriated.

200,000 doll. appropriated annually, for three years, towards the purchase and supply of a stock of every description of timber, &c.

[Approved, March 3, 1815.]

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CHAP. 764. An act for the relief of Thomas Sprigg.\*

[\* Private.]

The accounting officers of the navy department directed to settle the claim of Thomas Sprigg, on account of the destruction of a quantity of hempen yarns, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the proper accounting officers of the navy department be, and they are hereby, authorized and directed to audit and settle the claim of Thomas Sprigg, on account of the destruction of a quantity of hempen yarns, in the ropewalk in the vicinity of Baltimore, which were destroyed by order of general Foreman, by ascertaining, or causing to be ascertained, the value of the yarns, in such manner, and upon such terms, as may be just and reasonable.

The amount, &c. to be paid to Thomas Sprigg, out of the treasury, &c.

SECT. 2. *And be it further enacted, That* the amount of the said valuation, when ascertained as aforesaid, shall be paid to the said Thomas Sprigg, out of any money in the treasury, not otherwise appropriated. [Approved, March 3, 1815.]

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CHAP. 765. An act for the relief of sundry persons in the service of the United States, in consequence of the destruction of their tools by fire at the navy yard.†

[† Private.]

The accounting officers of the navy to adjust claims for losses of tools, &c. by mechanics, &c. from the burning of the buildings of the navy yard, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the accounting officers of the navy be, and they are hereby, directed to adjust and settle all claims for losses that have been sustained by artificers, mechanics, and other workmen, in the employ and service of the United States, for tools and other articles essential to, and connected with, their trade and occupation, which have been destroyed by fire, in consequence of burning the buildings of the navy yard, in the city of Washington, and to cause to be paid over to such persons, respectively, the amount found due for such losses.

Not exceeding 5,000 dollars, appropriated for the objects of this act:

SECT. 2. *And be it further enacted, That* a sum not exceeding five thousand dollars be, and the same is hereby, appropriated, out of any moneys in the treasury of the United States, not otherwise appropriated, to carry into effect the objects of this act.

[Approved, March 3, 1815.]

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CHAP. 766. An act to repeal certain acts therein mentioned.

All acts, &c. which prohibit the entrance of vessels of foreign nations, &c. repealed. The act prohibiting American vessels from trading with the enemy, &c. repealed. [† Ante, chap. 452.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* all acts, or parts of acts, which prohibit the entrance of the vessels of any foreign nation into the harbors or waters under the jurisdiction of the United States, be, and the same are hereby, repealed.

SECT. 2. *And be it further enacted, That* the "Act to prohibit American vessels from proceeding to, or trading with, the enemies of the United States, and for other purposes,"† passed

the sixth day of July, eighteen hundred and twelve, be, and the same is hereby, repealed. 1815.

SECT. 3. *And be it further enacted*, That the "Act to prohibit the use of licenses or passes, granted by the authority of the government of the united kingdom of Great Britain and Ireland,"\* passed the second day of August, eighteen hundred and thirteen, be, and the same is hereby, repealed.

The act to prohibit the use of British licenses, repealed.  
[\* Ante, chap. 585.]

SECT. 4. *And be it further enacted*, That all penalties and forfeitures which have been incurred by virtue of the acts, or parts of acts, hereby repealed, shall be recovered and distributed in like manner as if the same had continued in full force.

Penalties and forfeitures incurred, &c., to be recovered, &c.

[Approved, March 3, 1815.]

CHAP. 767. An act increasing the compensation allowed the sergeants at arms of the senate and house of representatives, and of the doorkeeper and assistant doorkeeper of the senate and house of representatives.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That, in addition to the sum already allowed by law to the sergeants at arms of the senate and house of representatives, and the doorkeeper and assistant doorkeeper of the senate and house of representatives, be entitled to receive, annually, the sum of five hundred and fifty dollars, respectively, and that the additional compensation here allowed be considered to take effect from the first day of January, one thousand eight hundred and fourteen. [Approved, March 3, 1815.]

The sergeants at arms and doorkeeper and assistant doorkeeper, of the senate and house, to receive each, annually, in addition, &c. \$500 dolls. from the 1st Jan. 1814.

CHAP. 768. An act to authorize a loan for a sum not exceeding eighteen millions four hundred and fifty-two thousand eight hundred dollars.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States be, and he is hereby, authorized to borrow, on the credit of the United States, a sum not exceeding eighteen millions four hundred fifty-two thousand eight hundred dollars, to be applied, in addition to the moneys now in the treasury, or which may be received from other sources, to defray any expenses which have been, or, during the present year, may be, authorized by law, and for which appropriations have been, or, during the present year, may be, made by law: *Provided*, That no engagement or contract shall be entered into, which shall preclude the United States from reimbursing any sum or sums thus borrowed, at any time after the expiration of twelve years from the last day of December next.

The president authorized to borrow, &c. 18,452,800 dolls. to defray authorized expenses, &c.

SECT. 2. *And be it further enacted*, That the secretary of the treasury, with the approbation of the president of the United States, be, and he is hereby, authorized to cause to be constituted certificates of stock, signed by the register of the treasury, or by a commissioner of loans, for the sum to be borrowed by this act, or for any part thereof, and the same to be sold. And

Proviso; no engagement to preclude the United States from reimbursing after the year 1837, &c.

The secretary of the treasury to cause certificates of stock to be constituted and sold, &c. and lay an account of money obtained before congress, &c.

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the secretary of the treasury shall lay before congress, during the first week in the month of February, one thousand eight hundred and sixteen, an account of all the moneys obtained by the sale of the certificates of stock, in manner aforesaid, together with a statement of the rate at which the same may have been sold.

The secretary of the treasury may employ agents to obtain subscriptions, &c.

A commission of 1-4th of one per cent. to the agents, and not exceeding 30,000 dollars, appropriated to defray expenses, &c.

SECT. 3. *And be it further enacted*, That the secretary of the treasury be, and he is hereby, authorized, with the approbation of the president of the United States, to employ an agent or agents, for the purpose of obtaining subscriptions to the loan authorized by this act, or of selling any part of the stock to be created by virtue thereof. A commission, not exceeding one-quarter of one per centum, on the amount thus sold, or for which subscriptions shall have been thus obtained, may, by the secretary of the treasury, be allowed to such agent or agents; and a sum, not exceeding thirty thousand dollars, to be paid out of any moneys in the treasury, not otherwise appropriated, is hereby appropriated, for paying the amount of such commission or commissions as may be thus allowed, and also for defraying the expenses of printing and issuing the subscription certificates, and certificates of stock, and other expenses incident to the completing of the loan authorized by this act.

So much of the annual appropriation of 8,000,000 dollars, as may be wanted, &c. pledged for the payment of interest and principal of the stock created by this act.

The commissioners of the sinking fund to cause the necessary sums to be applied yearly, &c. and may redeem the principal of the stock by purchase, &c.

The faith of the United States pledged to make good any deficiency, &c.

The banks in the district of Columbia may lend any part of the money, &c.

The secretary of the treasury may accept, in

SECT. 4. *And be it further enacted*, That so much of the funds constituting the annual appropriation of eight millions of dollars, for the payment of the principal and interest of the public debt of the United States, as may be wanted for that purpose, after satisfying the sums necessary for the payment of the interest, and such part of the principal, of the said debt, as the United States are now pledged annually to pay or reimburse, is hereby pledged and appropriated for the payment of the interest, and for the reimbursement of the principal, of the stock which may be created by virtue of this act. It shall, accordingly, be the duty of the commissioners of the sinking fund, to cause to be applied and paid, out of the said fund, yearly, such sum and sums as may be annually wanted to discharge the interest accruing on the said stock, and to reimburse the principal, as the same may become due and may be discharged in conformity with the terms of the loan. And they are further authorized to apply, from time to time, such sum or sums, out of the said fund, as they may think proper, towards redeeming, by purchase, and at a price not above par, the principal of the said stock, or any part thereof. And the faith of the United States is hereby pledged to establish sufficient revenues for making good any deficiency that may hereafter take place in the funds hereby appropriated for paying the said interest and principal sums, or any of them, in manner aforesaid.

SECT. 5. *And be it further enacted*, That it shall be lawful for any of the banks in the district of Columbia, to lend any part of the sum authorized to be borrowed by virtue of this act, any thing in any of their charters to the contrary notwithstanding.

SECT. 6. *And be it further enacted*, That it shall be lawful for the secretary of the treasury to accept, in payment of any loan obtained in virtue of this act, such treasury notes as have

been actually issued before the passing of this act, and which were made by law a charge upon the sinking fund, such treasury notes to be credited for the principal thereof and the amount of interest actually accrued at the time of the payment. **1815.**

payment of this loan, treasury notes actually issued, &c.

**SECT. 7.** *And be it further enacted,* That it shall be lawful for the secretary of the treasury to cause to be paid the interest upon treasury notes which have become due, and remain unpaid, as well with respect to the time elapsed before they became due, as with respect to the time that shall elapse after they become due, and until funds shall be assigned for the payment of the said treasury notes, and notice thereof shall be given by the secretary of the treasury. [*Approved, March 3, 1815.*]

The secretary of the treasury may cause to be paid the interest on treasury notes which have become due, until funds are assigned for the payment, &c.

**CHAP. 769.** An act to provide for the ascertaining and surveying of the boundary lines fixed by the treaty with the Creek Indians, and for other purposes.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to cause to be ascertained and surveyed the boundary line designated by the treaty with the Creek nation of Indians, concluded on the ninth day of August, one thousand eight hundred and fourteen,\* and that the same be distinctly marked, in all such places, except where water courses are described, as the boundary by the said treaty; and for this purpose the president of the United States shall have power to appoint, by and with the advice and consent of the senate, three commissioners, whose compensation shall not exceed, exclusive of travelling expenses, the rate of eight dollars per day, during the time of actual service of such commissioner, in ascertaining and surveying the said boundary line; they shall have power to employ a skilful surveyor, who shall be allowed five dollars per day, and two chainmen and a marker, who shall each be allowed two dollars per day, in full for their services.

The president to cause the boundary line designated by the treaty with the Creek Indians, &c. to be surveyed, &c. (\* See page 709, vol. I.)

The president, &c. to appoint three commissioners, to receive at the rate of 8 dollars per day, exclusive, &c.

A surveyor, chainmen, &c.

**SECT. 2.** *And be it further enacted,* That the said commissioners, on completing the ascertainment and survey aforesaid, shall make out three accurate plats of the survey of the said boundary line, one of which they shall transmit to the secretary of state, one to the surveyor of the lands south of the state of Tennessee, and the other to the chiefs of the Creek nation of Indians.

The commissioners to make three plats of the survey, &c.

**SECT. 3.** *And be it further enacted,* That all the public lands of the United States to which the Indian title was extinguished by the aforesaid treaty, shall be, and are hereby, formed into a land district; and for the disposal thereof a land office shall be established, which shall be kept at such convenient place as the president of the United States may direct; and, for the said land office, a register, and receiver of public moneys, shall be appointed, who shall give security in the same manner, in the same sums, and whose compensation, emoluments, duties, and

The lands formed into a district, &c.

A land office, &c.

A register and receiver, &c.



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authority, shall, in every respect, be the same, in relation to the lands which shall be disposed of at their office, as are or may be provided by law in relation to the registers and receivers of public moneys, in the several land offices established for the disposal of the other public lands of the United States.

The powers vested in the surveyor of the lands south of Tennessee to extend over the lands to which the Indian title was extinguished by the Creek treaty, &c.

SECT. 4. *And be it further enacted*, That the powers vested by law in the surveyor of the lands of the United States south of the state of Tennessee, shall extend over all the public lands of the United States to which the Indian title was extinguished by the aforesaid treaty, and the same shall be surveyed in the manner, and for the same compensation, as other public lands in the Mississippi territory.

The president may direct the lands surveyed, &c. to be sold, &c.

SECT. 5. *And be it further enacted*, That the president of the United States is hereby authorized, whenever he shall think it proper, to direct so much of the public lands, lying in the said district, as shall have been surveyed in conformity to this act, to be offered for sale. All such lands shall, with the exception of

The lands, with the exceptions mentioned, to be offered to the highest bidder, &c. at such time as the president may designate by proclamation, &c.

the section numbered sixteen, which shall be reserved in each township for the support of schools within the same, with exception also of one entire township, to be located by the secretary of the treasury, for the use of a seminary of learning, and with the exception of any tracts of land reserved to the Indians by the said treaty, shall be offered to the highest bidder, under the direction of the register and receiver of public moneys of the said land office, on such day or days as shall, by a public proclamation of the president of the United States, be designated for that purpose. The public sales shall remain open for three weeks, and no longer; and the lands shall be sold for a price not less than that which has been, or may be, fixed by law, for the public lands in the Mississippi territory; and shall, in every other respect, be sold in tracts of the same size, on the same terms and conditions, as have been, or may be, by law provided for the other public lands in the Mississippi territory. The superintendents of the said public sales shall receive six dollars, each, for each day's attendance on the said sales. All lands, other than those reserved as aforesaid, and excepted as abovementioned, remaining unsold at the closing of the public sales, and which had been offered at the said sales, may be disposed of at private sale, by the register of the land office, in the same manner, under the same regulations, for the same price, and on the same terms and conditions, as are or may be provided by law for the sale of the other public lands of the United States in the Mississippi territory. And patents shall be obtained for the lands sold in the said district in the same manner, and on the same terms, as for other public lands sold in the Mississippi territory.

Sales to remain open three weeks, &c. Price, terms, &c.

\$6 dolla. per day for each superintendent, &c.

Lands remaining unsold may be disposed of at private sale, &c.

Patents, &c.

The president may appoint the commissioners during the recess, &c.

Not exceeding \$25,000 dolla. appropriated for

SECT. 6. *And be it further enacted*, That the president of the United States shall have power to appoint any or all of the aforesaid commissioners during the recess of the senate.

SECT. 7. *And be it further enacted*, That a sum, not exceeding twenty-five thousand dollars, be, and the same is hereby, ap-

propriated, to be paid out of any moneys in the treasury, not otherwise appropriated, for the purpose of carrying this act into effect. [Approved, March 3, 1815.] 1815.  
carrying this  
act into effect

CHAP. 770. An act authorizing the purchase of the vessels captured on lake Champlain.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be, and he is hereby, authorized to cause to be purchased the British vessels which were captured on lake Champlain by the American squadron, on the eleventh day of September, in the year eighteen hundred and fourteen; and the amount of the valuation of such captured vessels, when duly made and returned to the navy department, shall be distributed as prize money, among the captors or their heirs. The president  
authorized to  
purchase the  
British vessels  
captured on  
lake Cham-  
plain, &c.  
  
The amount to  
be distributed  
as prize money,  
&c.

[Approved, March 3, 1815.]

CHAP. 771. An act for the protection of the commerce of the United States against the Algerine cruizers.

Whereas the dey of Algiers, on the coast of Barbary, has commenced a predatory warfare against the United States— The dey of Al-  
giers has com-  
menced war, &c.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That it shall be lawful fully to equip, officer, man, and employ, such of the armed vessels of the United States as may be judged requisite by the president of the United States for protecting effectually the commerce and seamen thereof on the Atlantic ocean, the Mediterranean, and adjoining seas. Public armed  
vessels to be  
equipped and  
employed to  
protect com-  
merce and sea-  
men, &c.

SECT. 2. *And be it further enacted,* That it shall be lawful for the president of the United States to instruct the commanders of the respective public vessels aforesaid, to subdue, seize, and make prize of, all vessels, goods, and effects, of or belonging to the dey of Algiers, or to his subjects, and to bring or send the same into port, to be proceeded against and distributed according to law; and, also, to cause to be done all such other acts of precaution or hostility, as the state of war will justify, and may, in his opinion, require. The president  
to instruct com-  
manders of pub-  
lic armed ves-  
sels to capture  
Algerine vessels  
and goods, &c.

SECT. 3. *And be it further enacted,* That, on the application of the owners of private armed vessels of the United States, the president of the United States may grant them special commissions, in the form which he shall direct, under the seal of the United States; and such private armed vessels, when so commissioned, shall have the like authority for subduing, seizing, taking, and bringing into port, any Algerine vessel, goods, or effects, as the beforementioned public armed vessels may by law have; and shall therein be subject to the instructions which may be given by the president of the United States for the regulation of their conduct; and their commissions shall be revocable at his plea- Special com-  
missions to pri-  
vate armed ves-  
sels may be  
granted by the  
president, &c.  
  
Commissions  
revocable at  
pleasure.

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Proviso, bond to be given before the commission is granted, &c.

Condition of the bond, &c.

Algerine vessels and goods captured, &c. may be adjudged good prize, and to be distributed, &c.

sure: *Provided*, That before any commission shall be granted as aforesaid, the owner or owners of the vessels for which the same may be requested, and the commander thereof for the time being, shall give bond to the United States, with at least two responsible sureties, not interested in such vessel, in the penal sum of seven thousand dollars, or, if such vessel be provided with more than one hundred and fifty men, in the penal sum of fourteen thousand dollars, with condition for observing the treaties and laws of the United States, and the instructions which may be given as aforesaid, and also for satisfying all damages and injuries which shall be done contrary to the tenor thereof, by such commissioned vessel, and for delivering up the commission when revoked by the president of the United States.

SECT. 4. *And be it further enacted*, That any Algerine vessel, goods, or effects, which may be so captured and brought into port, by any private armed vessel of the United States, duly commissioned as aforesaid, may be adjudged good prize, and thereupon shall accrue to the owners, and officers, and men, of the capturing vessel, and shall be distributed according to the agreement which shall have been made between them, or, in failure of such agreement, according to the discretion of the court having cognizance of the capture.

[*Approved, March 3, 1815.*]

CHAP. 772. An act to amend the act, entitled "An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying a direct tax upon the United States, and to provide for assessing and collecting the same,"\* and the act, entitled "An act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on household furniture, and on gold and silver watches."†

[\* See ante, ch. 703.]

[† See ante, ch. 705.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That instead of the first day of February next, prescribed by the "act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying a direct tax upon the United States, and to provide for assessing and collecting the same,"‡ to the principal assessors to direct and cause the several assistant assessors to inquire after and concerning all lands and other objects taxed, the first day of April next be, and the same is hereby, prescribed for that purpose. And that the time prescribed, in the thirty-ninth section of the said act, to the secretary of the treasury, to notify the collectors of the several collection districts to proceed to the collection of the direct tax, after the current year, shall be some day in the month of May, instead of the month of February.

The 1st April, 1815, instead, &c. to be the day for the principal assessors to direct assistants to inquire after lands, &c.  
[‡ Ante, ch. 703.]

A day in the month of May to be the time for the secretary of the treasury to notify collectors, &c.

The 13th sec. of the act to provide additional revenues, &c. amended, &c.

[§ Ante, ch. 705.]

SECT. 2. *And be it further enacted*, That the thirteenth section of the "act to provide additional revenues for defraying the expenses of government, and maintaining the public credit, by laying duties on household furniture, and on gold and silver watches,"§ be, and the same is hereby, so amended, as that the

several acts required to be performed, previously to, or during, the month of February, in any year, may and shall be performed previously to, or during, the month of May, in any year, as the case may be, which last month, instead of February, shall be taken as the time referred to therein, for taking the lists of property under a general assessment; and it shall be the duty of the principal assessor, in every year, within thirty days after the expiration of the said month of May, to make out and deliver to the collector, the lists as is required to be rendered by the said last mentioned act, to which this act is a supplement, and the like alteration hereby made in the tenth section of the said act, shall, and hereby is, made in the other sections thereof, so far as any acts depending thereon are thereby required to be done.

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Principal assessors every year, within 30 days after the month of May, to deliver lists to the collectors, &c.

SECT. 3. *And be it further enacted,* That the publication to be made by the collectors, to be designated by the secretary of the treasury for that purpose, as prescribed and required in the twenty-eighth and twenty-ninth sections of the act to which this act is a supplement, shall, instead of being printed for sixty days, in at least one newspaper published in the state, as therein provided, be printed, at least, once a week, for eight weeks in succession, in every newspaper within the state in which the laws of the United States are by public authority published; and for which printing the secretary of the treasury shall be, and he is hereby, authorized to pay and allow a price proportionate to the price of the other public printing done in said papers, and no more. [Approved, March 3, 1815.]

The publication to be made by collectors, &c. to be printed once a week for 8 weeks in succession in every newspaper within a state, in which, &c. instead of 60 days, &c.

CHAP. 773. An act for the relief of James Savage, and others.\*

[\* Private.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the secretary of war be, and he is hereby, authorized and directed to audit and settle the claims of James Savage, Henry Platt, Enoch Chase, John Wells, Daniel P. Clarke, Potash and Cairn, Joseph J. Green, Levi Platt, Roswell Wait, Edward Wait, Henry Powers, Jonathan Griffin, Charles D. Backus, Joseph S. Thomas, George Freligh, Margaret Beaumont, Lois Baker, John L. Fouquet, major A. Stone, Noah Broadwell, and Nathan Averill, jun. on account of the destruction of their houses and property, by the order of major general Alexander Macomb; by ascertaining, or causing to be ascertained, the value of the said property at the time of its destruction, in such manner, and upon such terms, as may appear reasonable and just.

The secretary of war directed to settle the claims of James Savage, &c. &c. on account of the destruction of their houses by order of gen. Macomb, &c.

SECT. 2. *And be it further enacted,* That the amount of such valuation, when ascertained as aforesaid, shall be paid to the owner or owners, out of any money in the treasury, not otherwise appropriated. [Approved, March 3, 1815.]

The amount, &c. to be paid out of money in the treasury, &c.

**1815. CHAP. 774.** An act authorizing the board of navy commissioners to appoint clerks.

The board of navy commissioners to appoint two clerks, at 1,000 dolls. each, &c.

3,000 dolls. appropriated for the purpose.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the board of navy commissioners be, and they are hereby, authorized to appoint two clerks, to be attached to their office, who shall receive for their services a sum not exceeding one thousand dollars each per annum.

**SECT. 2.** *And be it further enacted,* That for this purpose the sum of two thousand dollars is hereby appropriated, to be paid out of any moneys in the treasury, not otherwise appropriated.

[Approved, March 3, 1815.]

**CHAP. 775.** An act further to provide for the collection of duties on imports and tonnage.

Collectors, &c. of the customs, in adjoining districts, &c. may enter and search vessels, &c. and seize goods subject to duty, the payment of which is intended to be evaded, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That it shall be lawful for any collector, naval officer, surveyor, or inspector, of the customs, as well in an adjoining district as that to which he belongs, to enter on board, search, and examine, any ship, vessel, boat, or raft, and if he shall find on board the same any goods, wares, or merchandise, which he shall have probable cause to believe are subject to duty, the payment of which is intended to be evaded, or have been imported into the United States in any manner contrary to law, it shall be his duty to seize and secure the same for trial.

Collectors, &c. in adjoining districts, &c. may stop and examine any kind of vehicle, or person, or beast of burden, on which they suspect there are goods, &c. subject to duty, &c. and if goods, &c. are found, they may be seized, &c.

**SECT. 2.** *And be it further enacted,* That it shall be lawful for any collector, naval officer, surveyor, or inspector of the customs, as well in any adjoining district as that to which he belongs, to stop, search, and examine, any carriage or vehicle, of any kind whatsoever, and to stop any person travelling on foot, or beast of burden, on which he shall suspect there are goods, wares, or merchandise, which are subject to duty, or which shall have been introduced into the United States in any manner contrary to law; and if such officer shall find any goods, wares, or merchandise, on any such carriage, vehicle, person travelling on foot, or beast of burden, which he shall have probable cause to believe are subject to duty, or have been unlawfully introduced into the United States, he shall seize and secure the same for trial. And if any of the said officers of the customs shall suspect that any goods, wares, or merchandise, which are subject to duty, or shall have been introduced into the United States contrary to law, are concealed in any particular dwelling house, store, or other building, he shall, upon proper application, on oath,\* to any judge or justice of the peace, be entitled to a warrant, directed to such officer, who is hereby authorized to serve the same, to enter such house, store, or other building, in the day time only, and there to search and examine whether there are any goods, wares, or merchandise, which are subject to duty, or have been unlawfully imported; and if, on such search

Officers of the customs, on application, oath, &c. may search suspected dwelling houses, in the day time only, and seize goods subject to duty, &c. [\* See the const. amendments, art. 4, p. 72, vol. 1.]

or examination, any such goods, wares, or merchandise, shall be found, which there shall be probable cause, for the officer making such search or examination, to believe are subject to duty, or have been unlawfully introduced into the United States, he shall seize and secure the same for trial: *Provided always*, That the necessity of a search warrant, arising under this act, shall in no case be considered as applicable to any carriage, wagon, cart, sleigh, vessel, boat, or other vehicle, of whatever form or construction, employed as a medium of transportation, or to packages on any animal or animals, or carried by man on foot. 1815.

*Provided*; the necessity of a search warrant not applicable to any carriage, wagon, &c.

SECT. 3. *And be it further enacted*, That every collector of the customs shall have authority, with the approbation of the principal officer of the treasury department, to employ, within his district, such number of proper persons, as inspectors of the customs, as he shall judge necessary, who are hereby declared to be officers of the customs; and the said inspectors, before they enter on the duties of their offices, shall take and subscribe, before the collectors appointing them, or before some magistrate within their respective districts, authorized by law to administer oaths, the following oath or affirmation, to wit: "I, ———, *having been appointed an inspector of the customs, within and for the district of ———, do solemnly, sincerely, and truly, swear, (or affirm, as the case may be,) that I will diligently and faithfully execute the duties of the said office of inspector, and will use my best endeavors to prevent and detect frauds and violations against the laws of the United States: I further swear, (or affirm) that I will support the constitution of the United States.*"

Collectors may employ proper persons as inspectors of the customs, &c.

Persons employed as inspectors to take and subscribe an oath, &c.

Form of the oath.

SECT. 4. *And be it further enacted*, That any collector, naval officer, surveyor, or inspector, when proceeding to make any search or seizure, authorized by this act, shall be, and he is hereby, empowered to command any person who shall be within ten miles of the place where such search or seizure shall be made, to aid and assist such officer in the discharge of his duty therein; and if any person, being so commanded, shall neglect or refuse to aid and assist such officer in making such search or seizure, the person so neglecting or refusing shall forfeit and pay a sum not exceeding two hundred dollars, and not less than fifty dollars. And such officer may also demand, in cases of resistance, the assistance of the marshal of the district or any of his deputies, who shall call upon the posse of the district, if necessary, in his or their judgment, to render effectual the execution of this act; and all citizens or inhabitants of the district, above the age of eighteen years, and able to travel, who refuse or neglect, upon proper notice from the marshal, or any of his deputies, to join such posse, shall be considered guilty of a misdemeanor, and be liable to be fined in any sum not exceeding three hundred dollars, and be imprisoned for any term not exceeding three months.

Collectors, &c. may command the aid of persons within 10 miles, &c.

Persons neglecting or refusing, &c. to forfeit and pay from 50 to 200 dolls.

In cases of resistance the marshal and posse to assist.

Fine and imprisonment for refusing to join the posse, &c.

SECT. 5. *And be it further enacted*, That the forfeitures and penalties mentioned in this act, shall be sued for, prosecuted, and

Forfeitures, &c. to be recovered,

**1815.** recovered, or inflicted, by action of debt, or by information or indictment, in any court competent to take cognizance thereof and try the same; and that all forfeitures and penalties, so recovered by virtue of this act, shall, after deducting all proper costs and charges, be disposed of as follows: one moiety shall be for the use of the United States, and be paid into the treasury thereof by the collector recovering the same; the other moiety shall be divided between, and paid in equal proportions to, the collector and naval officer of the district and surveyor of the port, wherein the same shall have been incurred, or to such of the said officers as there may be in the said district: and in districts where only one of the aforesaid offices shall have been established, the said moiety shall be given to such officer: *Provided*, That where the seizure shall have been made by any inspector or inspectors out of the presence of the collector, naval officer, or surveyor, such inspector or inspectors shall be entitled, in addition to such other compensation as may be allowed them, to twenty-five per cent. on the moiety herein given to the collector, naval officer, and surveyor, as aforesaid, or to either of them: *And provided also*, That in all cases where such forfeitures and penalties shall be recovered, in pursuance of information given to such collector, naval officer, or surveyor, by any private informer, the one-half of such moiety shall be given to such informer, and the remainder thereof shall be disposed of between the collector, naval officer, and surveyor, in manner aforesaid, and the same allowance of twenty-five per cent. to inspectors, when the seizure is made by them as aforesaid: *And provided likewise*, That whenever the value of the property seized, condemned, and sold, under this act, shall be less than two hundred and fifty dollars, that part of the forfeiture which accrues to the United States, or so much thereof as may be necessary, shall be applied to the payment of the costs of prosecution: *And it is further provided*, That if any officer or other person, entitled to a part or share of any of the penalties or forfeitures incurred in virtue of this act, shall be necessary as a witness on the trial for such penalty or forfeiture, such officer or other person may be a witness upon the said trial, but in such case he shall not receive or be entitled to any part or share of the said penalty or forfeiture; and the part or share to which he otherwise would have been entitled, shall revert to the United States.

**SECT. 6.** *And be it further enacted*, That if any suit or prosecution be commenced in any state court, against any collector, naval officer, surveyor, inspector, or any other officer, civil or military, or any other person aiding or assisting agreeable to the provisions of this act, or under color thereof, for any thing done, or omitted to be done, as an officer of the customs, or for any thing done by virtue of this act, or under color thereof, and the defendant shall, at the time of entering his appearance in such court, file a petition for the removal of the cause for trial at the next circuit court of the United States, to be holden in the district where the suit is pending, and offer good and sufficient surety for his entering in such court, on the first day of its ses-

*Sec. by action of debt, or by information, &c.*

*Distribution of forfeitures, &c.*

*Proviso: 25 per cent. additional, where seizures have been made by inspectors out of the presence of the collector, &c.*

*Proviso: half a moiety to private informers, &c.*

*Proviso: as to payment of costs when the value of the property seized is less than 250 dolls. &c.*

*Proviso: any officer, &c. entitled to a share, may be a witness, but in that case forfeits his part, &c.*

*Suits against collectors, &c. may be removed from state to circuit courts, upon petition, surety, &c.*

sion, copies of said process against him, and also for his there appearing at the court and entering special bail in the cause, if special bail was originally required therein, it shall then be the duty of the state court to accept the surety, and proceed no farther in the cause, and the bail that shall have been originally taken shall be discharged: and such copies being entered as aforesaid in such court of the United States, the cause shall there proceed in the same manner as if it had been brought there by original process, whatever may be the amount of the sum in dispute or damages claimed, or whatever the citizenship of the parties, any former law to the contrary notwithstanding: and any attachment of the goods or estate of the defendant by the original process, shall hold the goods or estate so attached to answer the final judgment, in the same manner as by the laws of such state they would have been holden to answer final judgment had it been rendered by the court in which the suit was commenced. And it shall be lawful, in any action or prosecution which may be now pending, or hereafter commenced, before any state court whatever, for any thing done, or omitted to be done, by the defendant, as an inspector or other officer of the customs, after final judgment, for either party to remove and transfer, by appeal, such decision, during the session or term of said court at which the same shall have taken place, from such court to the next circuit court of the United States, to be held in the district in which such appeal shall be taken in manner aforesaid; and it shall be the duty of the person taking such appeal, to produce and enter in the said circuit court attested copies of the process, proceedings, and judgment, in such cause; and it shall also be competent for either party, within six months of the rendition of a judgment in any such cause, by writ of error, or other process, to remove the same to the circuit court of the United States, of that district in which such judgment shall have been rendered; and the said circuit court shall thereupon proceed to try and determine the facts and the law in such action, in the same manner as if the same had been there originally commenced, the judgment in such case notwithstanding. And any bail which may have been taken, or property attached, shall be holden on the final judgment of the said circuit court in such action, in the same manner as if no such removal and transfer had been made as aforesaid. And the state court from which any such action may be removed and transferred as aforesaid, upon the party's giving good and sufficient security for the prosecution thereof, shall allow the same to be removed and transferred, and proceed no farther in the case: *Provided, however*, That if the party aforesaid shall fail duly to enter the removal and transfer as aforesaid in the circuit court, agreeable to this act, the state court, by which judgment shall have been rendered, and from which the transfer and removal shall have been made as aforesaid, shall be authorized, on motion for that purpose, to issue execution, and to carry into effect any such judgment, the same as if no such removal and transfer had been made: *Provided, nevertheless*, That this act shall not be construed to apply to any

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State courts to accept the surety and proceed no farther, &c.

The cause to proceed in the circuit court, as if, &c.

Attachment by the original process to hold the goods, &c.

Appeal, after final judgment, from state to circuit courts, &c.

Either party may remove, within 6 months of the rendition of judgment, by writ of error, to the circuit court, &c.

The circuit court to determine the facts and the law, &c.

Provide; if the party fail to enter the removal, &c. the state court may issue execution, &c.

Provide; this act not applicable to prosecution



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tions for offences involving corporal punishment; and no appeal in any criminal action, &c., where final judgment has been rendered for defendant, &c.  
 Double costs for defendant.

In case of judgment against defendant, if there was probable cause, &c., the defendant not liable for costs, &c.

Provido; property in custody to be returned after judgment, &c.

This act to continue for one year.  
 Provido; fines, &c., incurred to be recovered.

prosecution for an offence involving corporal punishment: *And provided also*, That no such appeal shall be allowed in any criminal action or prosecution, where final judgment shall have been rendered in favor of the defendant or respondent, by the state court; and in any action or prosecution against any person as aforesaid, it shall be lawful for such person to plead the general issue, and give this act and any special matter in evidence. And if in any suit the plaintiff is nonsuit, or judgment pass against him, the defendant shall recover double costs.

SECT. 7. *And be it further enacted*, That in any suit or prosecution against any person, for any act or thing done as an officer of the customs, or any person aiding or assisting such officer therein, and judgment shall be given against the defendant, or respondent, if it shall appear to the court, before which such suit or prosecution shall be tried, that there was probable cause for doing such act or thing, such court shall order a proper certificate or entry to be made thereof, and in such case the defendant or respondent shall not be liable for costs, nor shall he be liable to execution, or to any action for damages, or to any other mode of prosecution, for the act done by him as aforesaid: *Provided*, That such property or articles as may be held in custody by the defendant, if any, be, after judgment, forthwith returned to the claimant or claimants, his, her, or their, agent or agents.

SECT. 8. *And be it further enacted*, That this act shall continue in force for one year, and no longer: *Provided*, That all fines, penalties, and forfeitures, which shall have been incurred before the expiration of the act, shall be recovered and distributed, and may be mitigated or remitted, in the same manner as if it had not expired. [*Approved, March 3, 1815.*]

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CHAP. 776. An act supplementary to an act, entitled "An act for the better organization of the courts of the United States, within the state of New York."<sup>a</sup>

[<sup>a</sup> See orig. act, ante, chap. 637.]

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the president of the United States, by and with the advice and consent of the senate, be, and hereby is, authorized to appoint one person as marshal, and one as district attorney, for the northern judicial district of the United States within the state of New York, created by the act to which this act is a supplement, bearing date the ninth day of April, in the year one thousand eight hundred and fourteen;† and that the terms of appointment and service, together with the duties, responsibilities, and emoluments, of the said marshal and district attorney, respectively, for the district aforesaid, be, in all respects, the same, within their said district, as the terms of appointment and service, the duties, responsibilities, and emoluments, of all other marshals and district attorneys, respectively, within their respective districts, in the United States of America.

[*Approved, March 3, 1815.*]

The president, &c., to appoint a marshal and a district attorney for the northern judicial district of the state of New York, &c.

[† See ante, ch. 637.]

**CHAP. 777.** An act making an additional appropriation for the service of **1815.**  
the year one thousand eight hundred and fifteen.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That, for defraying the expense of preparing certificates of registry for ships and vessels, and for furnishing lists of crews, the sum of five thousand dollars be, and the same are hereby, appropriated, to be paid out of any money in the treasury, not otherwise appropriated. [*Approved, March 3, 1815.*]

5,000 dolls. appropriated for defraying the expense of preparing certificates of registry for ships and vessels, &c.

**CHAP. 778.** An act further supplementary to an act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory."<sup>o</sup> [*See orig. act. of 31st March, 1814; ante, ch. 637.*]

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the commissioners appointed by virtue of the act, entitled "An act supplementary to an act, entitled "An act providing for the indemnification of certain claimants of public lands in the Mississippi territory,"<sup>†</sup> shall be, and they are hereby, authorized to decide, in a summary way, upon the quantity or boundary of land contained in any grant or deed exhibited before them, by any of the claimants of lands released to the United States, agreeably to said act, according to such maps, surveys, or other evidence, as now exist, or which they may be now able to procure, without requiring or permitting any other survey to be made.

The commissioners appointed by virtue of the act mentioned, to decide, in a summary way, upon the quantity of land in any grant exhibited by claimants, &c. according to existing evidence, &c. [*Ante, ch. 706.*]

**SECT. 2.** *And be it further enacted,* That the said commissioners shall be, and they are hereby, authorized to allow and receive, in all cases, except those where femmes couvertes are parties, as sufficient legal releases, assignments, and powers, required by said act, and the supplement thereto, and as lawful conveyances, all such instruments as may be executed by the party, or his, her, or their attorney or attorneys, lawfully empowered, and either acknowledged by the party making the same, before some judge, or justice of the peace, notary public, mayor, recorder, or alderman, of a corporation, or master in chancery, or one of the said commissioners, or proved, by other evidence, to the satisfaction of the commissioners, to have been duly executed by the party.

The commissioners to allow, except in the cases mentioned, as sufficient legal releases, &c. all instruments executed by the party, &c. and acknowledged, &c.

**SECT. 3.** *And be it further enacted,* That the said commissioners shall be, and they are hereby, authorized, in all cases where the releases, assignments, and powers, required by the act aforesaid, already presented, or which may be presented on or before the third Monday in March instant, or powers of attorney by which said releases shall have been, or shall be, made, shall be, in the judgment of the commissioners aforesaid, defectively drawn or executed, to allow a further time, not exceeding two months, from and after the said third Monday in March instant, to perfect the same.

Further time allowed for perfecting releases, assignments, &c. defectively drawn, &c.

1815.

The commissioners to admit and finally settle all claims duly released, &c. administer oaths; compel witnesses, &c.

**SECT. 4.** *And be it further enacted,* That the said commissioners shall be, and they are hereby, authorized to admit and finally settle all such claims as have been, or may be, within the time limited, duly released, assigned, and transferred, to the United States, any thing in the said original act, or any supplement thereto, to the contrary notwithstanding; and to administer oaths, or take affirmations, and to compel the attendance of witnesses, in all cases where necessary.

The president to cause certificates of stock to be issued, from time to time, to claimants whose claims have been decided, &c.

**SECT. 5.** *And be it further enacted,* That the president of the United States shall be, and he is hereby, authorized, from time to time, to cause to be issued such certificates of stock as are specified in the said original act, and supplement thereto, to such claimant or claimants, whose claim may be decided on and reported by the commissioners, on receiving such report, in relation to such claim, from the said commissioners.

Releases, &c. to be recorded by the secretary to the commission, &c. and the records, &c. returned to the office of the secretary of state, &c.

**SECT. 6.** *And be it further enacted,* That the releases, assignments, and powers, required by the act aforesaid, and the supplement thereto, now received, and which may be hereafter received, shall be recorded by the secretary of the said commissioners, and the said records returned, with all other papers and documents in relation to said claims, when the business of the said commissioners shall be closed, to the office of the secretary of state; and that the said secretary shall be paid, by the secretary of the treasury of the United States, out of any money not otherwise appropriated, at the rate of twelve and a half cents for each and every hundred words contained in each instrument so recorded.

12 1-2 cents for every 100 words recorded.

On the dissolution, &c. of the board of commissioners, the president may allow them further compensation, &c.

**SECT. 7.** *And be it further enacted,* That, on the dissolution of the said board of commissioners, and the performance of the duties assigned them, the president of the United States shall be, and he is hereby, authorized, if in his judgment he shall consider the said commissioners entitled to any further additional compensation for their services than is now provided for, to cause them to be paid such other and further sums, out of any money in the treasury, not otherwise appropriated, as he shall think just and reasonable: *Provided,* That such additional compensation shall not exceed fifty cents to each commissioner, for every deed or evidence of title which shall be submitted to their examination and decision, in pursuance of the provisions of the said original act, and the supplements thereto.

Proviso; the additional compensation not to exceed 50 cents to each commissioner for every deed, &c. submitted, &c.

[*Approved, March 3, 1815.*]

CHAP. 779. An act regulating and defining the duties of the United States' judges for the territory of Illinois.

Illinois divided into three circuits, &c.

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the Illinois territory shall be divided into three circuits, in the manner, and for the purposes, hereinafter mentioned.

Designation of the circuits.

**SECT. 2.** *And be it further enacted,* That the counties of Madison and St. Clair shall compose the first circuit, the counties

of Randolph and Johnson shall compose the second circuit, and the counties of Gallatin and Edwards shall compose the third circuit. 1815.

SECT. 3. *And be it further enacted,* That the judges heretofore appointed, or which may hereafter be appointed, for the Illinois territory, under the authority of the government of the United States, shall, previous to the time prescribed by this act for holding the first court in the said territory, proceed to allot amongst themselves the circuit in which they shall respectively preside, which allotment shall continue in force for and during the term of one year thereafter; and such allotment shall be annually renewed; and which allotment, in writing, signed by the said judges, or a majority of them, shall be entered of record in the said courts, respectively, by the clerks thereof, at the commencement of the term next after such allotment shall have been made.

The judges, &c. to allot themselves circuits, &c.

The allotment to be in writing, signed, and recorded, &c.

SECT. 4. *And be it further enacted,* That it shall be the duty of the said judges, respectively, to hold two terms annually in each county in their respective circuits, in conformity with the preceding sections of this act, which shall commence at the times hereinafter mentioned; that is to say: in the county of Madison, on the last Mondays in May and September; in the county of St. Clair, on the second Mondays in June and October; in the county of Randolph, on the third Mondays in June and October; in the county of Johnson, on the fourth Mondays in June and October; in the county of Gallatin, on the first Mondays in July and November, and in the county of Edwards, on the second Mondays in July and November, in each year; and the said courts shall be styled circuit courts for the counties in which such courts shall be held, respectively.

The judges to hold two terms annually in each county.

Times for commencing the courts.

The courts to be styled circuit courts, &c.

SECT. 5. *And be it further enacted,* That the said courts shall be holden at the respective courthouses of said counties; and the said judges, respectively, shall, in their respective circuits, have jurisdiction over all causes, matters, or things, at common law or in chancery, arising in each of said counties, except in cases where the debt or demand shall be under twenty dollars, in which cases they shall have no jurisdiction.

The courts to be holden at the courthouses of the counties.

Jurisdiction of the judges, &c.

SECT. 6. *And be it further enacted,* That the said judges shall be conservators of the peace, and the said circuit courts, in term time, or the judges thereof in vacation, shall have power to award injunctions, writs of ne exeat, habeas corpus, and all other writs and process that may be necessary to the execution of the power with which they are or may be vested.

The judges to be conservators of the peace; and empowered to award injunctions, &c.

SECT. 7. *And be it further enacted,* That the said circuit courts, respectively, shall have power to hear and determine all treasons, felonies, and other crimes and misdemeanors, that may be committed within the respective counties aforesaid, and that may be brought before them, respectively, by any rules or regulations prescribed by law.

The circuit courts empowered to hear and determine treasons, felonies, and other crimes, &c.

SECT. 8. *And be it further enacted,* That all suits shall be tried in the counties in which they originate, unless in cases that are or may be specially provided for by law.

Suits to be tried in the counties where they originate, unless, &c.

1815.

If the circuit judge does not attend on the first day of a court, or, &c. the court to stand adjourned from day to day, until, &c. if, &c.

If a circuit court, &c. does not sit in any term, &c. matters and things depending, &c. to stand continued, &c.

If either of the courts does not sit on any day in a term, &c. there is to be no discontinuance; but, &c.

The judicial term to consist of six days in each county, unless, &c.

A clerk to be appointed by the circuit courts in each county; his duty, &c.

In cases depending in the courts of common pleas on the 31st Dec. 1814, the parties, &c. to take measures for trial as if no change had taken place; and the circuit courts, &c. to proceed, &c.

The judges, &c. to constitute a court of appeals for the Illinois territory, &c. to have appellate jurisdiction only, &c.

**SECT. 9.** *And be it further enacted,* That if the circuit judge shall not attend on the first day of any court, or if a quorum of the court hereinafter mentioned shall not attend in like manner, such court shall stand adjourned from day to day until a court shall be made, if that shall happen before four o'clock in the afternoon of the third day.

**SECT. 10.** *And be it further enacted,* That if either a circuit court, or the court hereinafter mentioned, shall not sit in any term, or shall not continue to sit the whole term, or before the end of the term shall not have heard and determined all matters ready for its decision, all such matters and things depending in court, and undetermined, shall stand continued until the next succeeding term.

**SECT. 11.** *And be it further enacted,* That if, from any cause, either of the said courts shall not sit on any day in a term after it shall have been opened, there shall be no discontinuance, but so soon as the cause is removed the court shall proceed to business until the end of the term, if the business depending before it be not sooner despatched.

**SECT. 12.** *And be it further enacted,* That the judicial term of the said circuit courts shall consist of six days in each county, during which time the court shall sit, unless the business before it shall be sooner determined.

**SECT. 13.** *And be it further enacted,* That a clerk shall be appointed by the said circuit courts, respectively, in each county, whose duty it shall be to issue process in all cases originating in his county, to keep and preserve the records of all the proceedings of the court therein, and to do and perform in the county all the duties which may be enjoined on him by law.

**SECT. 14.** *And be it further enacted,* That, in the cases that were, on the thirty-first day of December, in the year one thousand eight hundred and fourteen, depending in the courts of common pleas in the respective counties, the parties, or their attorneys, shall be permitted to take all such measures for bringing them to trial that might have been taken if no change had taken place, and the said circuit courts, respectively, shall, as far as possible, proceed to the trial thereof in the same manner that the said courts of common pleas might legally have done, had no other change than a mere alteration of the terms taken place.

**SECT. 15.** *And be it further enacted,* That the said judges, appointed as aforesaid, or a majority of them, shall constitute a court, to be styled the court of appeals for Illinois territory, and shall hold two sessions annually at the town of Kaskaskia, which shall commence on the first Mondays in March and August, in every year, and continue in session until the business before them shall be completed; which court shall have appellate jurisdiction only, and to which appeals shall be allowed, and from which writs of error, according to the principles of the common law, and conformably to the laws and usages of the said territory, may be prosecuted for the reversal of the judgments and decrees as well of the said circuit courts, as of any inferior courts which now are, or may hereafter be, established by the laws of the said territory.

**SECT. 16.** *And be it further enacted,* That a clerk shall be appointed by the said court of appeals, whose duty it shall be to issue process in all cases brought before the said court where process ought to issue, and to keep and preserve the records of all the proceedings of the said court therein, and to do and perform all such duties as may be enjoined on him by law. 1815.  
A clerk to be appointed by the court of appeals: his duty, &c.

**SECT. 17.** *And be it further enacted,* That in all cases that were, on the said thirty-first day of December, eighteen hundred and fourteen, depending in the general court of said territory, the parties or their attorneys shall be permitted to take all such measures for bringing them to a final decision that might have been taken if no change had taken place, and the said court of appeals shall, as far as practicable, proceed to the final determination thereof in the same manner that the said general court might legally have done, had no other change than a mere alteration of the terms taken place. In cases depending in the general court, on the 31st Dec. 1814, the parties, &c. to take measures for final decision as if no change had taken place; and the court of appeals to proceed, &c.

**SECT. 18.** *And be it further enacted,* That appeals may be prayed, and writs of error taken out, upon matters of law only, in all cases wherein they are now allowed by law, to the said court of appeals, and all writs of error shall be issued by the clerk of the said court of appeals, and made returnable to the said court of Kaskaskia; but no question upon appeal or writ of error shall be decided without the concurrence of two judges at least. Appeals and writs of error upon matters of law only, &c.  
Decision upon appeal, &c. by two judges.

**SECT. 19.** *And be it further enacted,* That the legislature of the said territory shall have power to change the times of holding any of the courts required to be holden by this act: *Provided, however,* That the said legislature shall not have authority to increase the number of sessions to be held by the said courts, respectively, in conformity with the provisions of the preceding sections of this act. The legislature empowered to change the times of holding any of the courts; but not to increase the number of sessions.

**SECT. 20.** *And be it further enacted,* That no judge or justice, appointed under the authority of the government of the said territory, shall be associated with the aforesaid United States judges when sitting as circuit court judges as aforesaid. This act to commence and be in force from and after the first day of April next. *[Approved, March 3, 1815.]* Judges, &c. appointed under the authority of the territory, not to be associated, &c.  
This act in force from 1st April, 1815.

**CHAP. 780.** An act to continue in force for a limited time, the act, entitled "An act for establishing trading houses with the Indian tribes."

**SECT. 1.** *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the act, entitled "An act for establishing trading houses with the Indian tribes,"\* approved on the second day of March, eighteen hundred and eleven, shall be, and the same is hereby, continued in force until the fourth day of March, eighteen hundred and seventeen, and no longer. The act for establishing trading houses with the Indian tribes, continued until 4th March, 1817. [\*Ante, ch. 307.]

*[Approved, March 3, 1815.]*

1815.

CHAP. 781. An act to fix the compensations, and increase the responsibility, of the collectors of the direct tax and internal duties; and for other purposes connected with the collection thereof.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That* the collectors of the direct tax and internal duties shall be entitled to receive the same commissions which are now allowed by law, until the first day of July, one thousand eight hundred and fifteen: *Provided, That* the commissions accruing to any one collector, upon the moneys collected and paid into the treasury, between the thirty-first of December, one thousand eight hundred and fourteen, and the first day of July, one thousand eight hundred and fifteen, shall not exceed the sum of three thousand dollars; and the said collectors shall, from and after the said first day of July, be allowed, in lieu of the commission now allowed by law, four and one-half per centum upon all moneys accounted for and paid into the treasury, from the first July, one thousand eight hundred and fifteen, until the first of January, one thousand eight hundred and sixteen, not exceeding fifty thousand dollars; and one per centum upon all sums over and above that amount.

Collectors to receive the commissions now allowed until 1st July, 1815.

Provido; the commissions, for the time mentioned, not to exceed 3,000 dolls.

Allowance to collectors after the 1st July, 1815, &c.

300 dolls. additional to collectors whose annual commissions do not exceed 1,000 dolls.

Collectors designated by the secretary of the treasury to receive lists, &c. to be allowed a commission of 5 per cent. additional thereon, &c.

The president may distribute 25,000 dolls. annually, in addition, among collectors, &c.

Rate of commission in case a collector dies, &c.

Amount of commission to the successor.

Provido; if either of the collectors be entitled to the benefits of the 4th sec. of this act.

SECT. 2. *And be it further enacted, That* each collector, whose commission in any one calendar year shall not exceed one thousand dollars, shall be allowed, at the end of the year, in addition to such commission, the sum of two hundred dollars.

SECT. 3. *And be it further enacted, That* the collectors heretofore, or hereafter, designated by the secretary of the treasury, to receive the lists of property lying within collection districts not owned, occupied, or superintended, by some person residing therein, shall, respectively, in addition to their other commissions and compensations, be allowed a commission of five per centum on the moneys received for taxes thereon accounted for and paid by them into the treasury.

SECT. 4. *And be it further enacted, That* it shall be lawful for the president of the United States to apportion and distribute, annually, a sum not exceeding, in the whole, twenty-five thousand dollars, or to any one collector five hundred dollars, among such collectors, as, for the execution of the public service, it shall appear to him necessary so to compensate, in addition to the other emoluments to which they are entitled.

SECT. 5. *And be it further enacted, That* in case a collector shall die, resign, or be removed from office, he shall be entitled to a commission equal to the average rate of that allowed to the collector of the same district the preceding calendar year, and no more; and his successor shall, for the residue of the year, be allowed a commission equal to the sum that may remain, after deducting the sum allowed to his predecessor, from the whole amount of commission that would have been allowed had there been no such death, resignation, or removal, and no more: *Provided, That* either of the said collectors shall be entitled to the benefits of the provision contained in the fourth section of this act.

**SECT. 6.** *And be it further enacted,* That it shall be the duty of each of the collectors, within ninety days from the end of every calendar year, to draw out a statement, exhibiting, in alphabetical order, the names of all the persons who may have paid, during the preceding calendar year, to him, or his deputies, any one or more of the internal duties, except those on household furniture and on stamps, with the aggregate amount so paid, annexed to each name, and forthwith to cause one hundred copies of the same to be printed, to transmit one copy thereof to the commissioner of the revenue, to lodge one copy with the principal assessor, and one copy with the clerk of each town, county, and district, within his collection district, to post up one copy at each of the courthouses in his district, and to post up the remaining copies at the other most public places in his district, the reasonable expenses incurred in the preparing, printing, and posting up, of which shall be allowed; and any collector who shall purposely or negligently fail to discharge this duty, shall be deemed guilty of a misdemeanor in office, and, on conviction thereof, shall be fined a sum not less than five hundred dollars, nor more than ten thousand dollars.

1815.

Each collector, within 90 days from the end of every calendar year, is to draw a statement, &c. of the names of persons who have paid, &c. any one or more of the internal duties, except, &c. and to cause 100 copies to be printed, transmitted, posted up, &c.

Any collector failing, &c. to be fined from 500 to 10,000 dolls.

**SECT. 7.** *And be it further enacted,* That all letters to and from the said collectors, relative to their official duties, shall be conveyed free of postage. And any collector who shall put his frank upon any other letter, shall, for every such act, forfeit and pay the sum of one hundred dollars, the whole of which shall be for the use of the person who shall give information thereof.

Letters to and from collectors to be conveyed free, &c.

Collectors franking improperly to pay 100 dolls. &c.

**SECT. 8.** *And be it further enacted,* That it shall be the duty of the collectors to keep their offices open for the transaction of business every day, except on established holydays, between the hours of nine in the morning and three in the afternoon, and to attend therein themselves, or by deputy; which said offices shall, after the present year, be kept at such places, in the respective districts, as may be designated by the commissioner of the revenue, in all cases in which such designation shall be thought expedient.

The collectors to keep their offices open every day for the transaction of business, except, &c.

**SECT. 9.** *And be it further enacted,* That the amount of all taxes or duties collected by any deputy collector, until paid over to the collector, shall, and hereby is declared to, be a lien upon the lands and real estate of such deputy collector, and of his sureties, if he shall have given bond, from the time when a suit shall be instituted for recovering the same; and for want of goods and chattels, or other personal effects of such deputy collector, or his sureties, to satisfy any judgment which shall or may be recovered against them, respectively, such lands and real estates may be sold at public auction, after being advertised for at least three weeks, in not less than three public places within the collection district, and in one newspaper printed in the county, if any there be, at least six weeks prior to the time of sale; and for lands or real estate sold in pursuance of the authority aforesaid, the conveyances of the marshals, or their deputies, executed in due form of law, shall give a valid title against all per-

The amount of taxes or duties collected by any deputy collector, until paid, to be a lien upon his real estate and that of his sureties, from the time of suit; and, for want of goods and chattels, &c. such real estate may be sold, after being advertised, &c.

The conveyances of the marshals to give a valid title, &c.



1815.

The principal collector may maintain and prosecute his action against a deputy collector and his sureties, in the circuit court, for the recovery of taxes collected, &c.

Provido; all money recovered to the use of the United States, &c.

Collectors, upon application, oath, warrant, &c. may enter and search dwelling houses for goods, &c. suspected to be concealed, in the day time only, &c.

[\* See the con. amend. art. 4, page 79, vol. 1.]

Goods, &c. seized, to remain in the custody of the collector, until, &c.

If the goods are adjudged not forfeited, they are to be restored. Persons concealing or buying goods liable to seizure, &c. to forfeit double the value.

A moiety to the informer.

Collectors to make seizures as well without as within their districts.

In case of suit against any officer, &c. the general issue may be pleaded, and this act, &c. given in evidence.

sons claiming under such deputy collector, or his sureties, respectively. And in every case it shall and may be lawful for a principal collector to maintain and prosecute his action against a deputy collector and his sureties, or any of them, if a bond with sureties shall have been given, in the circuit court of the United States, for the recovery of all taxes collected by said deputy, and not paid over according to his engagement, or for the penalty of the bond which may have been given to secure the payment thereof: *Provided always*, That all moneys recovered in such suits shall be for the use of the United States, until the whole amount of the taxes collected and received by the deputy collector shall be otherwise paid to the United States by the deputy collector, or by the principal collector instituting such suits.

SECT. 10. *And be it further enacted*, That if any collector, or his deputy, shall have cause to suspect a concealment of any goods, wares, or merchandise, in respect to which the respective provisions of the acts imposing an internal duty thereon have not been complied with, in any particular dwelling house, store, building, or place, (other than the manufactory in which the same were made,) they, or either of them, shall, upon proper application, on oath,\* to any justice of the peace, be entitled to a warrant to enter such house, store, or place, (in the day time only,) and there to search for such goods; and, if any shall be found, to seize and secure the same for trial.

SECT. 11. *And be it further enacted*, That all goods, wares, or merchandise, or other objects, which shall be seized by virtue of this act, or of any act relative to internal duties, shall be put into, and remain in, the custody of the collector, or such other person as he shall appoint for that purpose, until such proceedings shall be had as are legally required, to ascertain whether the same have been forfeited or not; and if it shall be adjudged that they are not forfeited, they shall be forthwith restored to the owner or claimant thereof; and if any person shall conceal or buy any such goods, wares, or merchandise, or other object, knowing them to be liable to seizure and forfeiture, such person shall, on conviction thereof, forfeit and pay a sum double the value of the goods, wares, or merchandise, or other object so concealed and purchased, one moiety of which shall be for the use of the informer, and the other for the use of the United States.

SECT. 12. *And be it further enacted*, That it shall be the duty of the several collectors to make seizure of, and secure, any goods, wares, or merchandise, or other objects liable to seizure by virtue of this or any other act relating to the internal duties, as well without as within their respective districts.

SECT. 13. *And be it further enacted*, That if any officer or other person executing or aiding or assisting in the seizure of goods, wares, or merchandise, or other objects as aforesaid, shall be sued or molested for any thing done in virtue of the powers given by this act, or of any other act, or by virtue of a warrant granted by any judge or justice, pursuant to law, such officer

or other person may plead the general issue; and give this act and the special matter in evidence; and if in such suit the plaintiff is nonsuited, or judgment pass against him, the defendant shall recover double costs; and in actions, suits, or informations, to be brought where any seizure shall be made pursuant to this act, or any other act relative to internal duties, if the property be claimed by any person, in every such case the onus probandi shall be upon such claimant: but the onus probandi shall lie on the claimant only when probable cause is shown for such prosecution, to be judged of by the court before whom the prosecution is had.

1815.

Double costs, for defendant.

Onus probandi on the claimant; but, &c.

**SECT. 14.** *And be it further enacted,* That all penalties accruing by any breach of this act, or of any act relative to internal duties, shall be sued for and recovered, with costs of suit, in the name of the United States of America, or of the collector, in any court competent to try the same, and the trial of any fact which may be put in issue, shall be within the judicial district in which any such penalty shall have accrued, or seizure been made; and the collector within whose district the seizure shall be made, or forfeiture incurred, is hereby enjoined to cause suits for the same to be commenced without delay, and prosecuted to effect; and is, moreover, authorized to receive from the court before whom such trial is had, or from the proper officer thereof, the sum or sums so recovered, after deducting all proper charges, to be allowed by the said court, and on receipt thereof, the said collector shall pay and distribute the same, without delay, according to law, and transmit, quarterly, to the commissioner of the revenue, an account of all moneys by him received for fines, penalties, and forfeitures, during such quarter. And all goods, wares, and merchandise, or other objects, which shall become forfeited in virtue of this act, or of any act relative to internal duties, shall be seized and prosecuted for as aforesaid, before the proper court, which court shall cause fourteen days' notice to be given of such seizure, setting forth the articles seized, with the time and place appointed for trial, to be inserted in some newspaper published near the place of seizure, if any such there be, and also by posting up the same in the most public manner, for the space of fourteen days, at or near the place of trial, for which advertisement a sum not exceeding ten dollars shall be paid. And if no person shall appear and claim such articles, and give bond to defend the prosecution thereof, and to respond the costs, in case he shall not support his claim, the court shall proceed to hear and determine the cause according to law; and upon the prayer of any claimant, that any articles, so seized and prosecuted, or any part thereof, should be delivered to him, it shall be lawful for the court to appoint three proper persons to appraise such articles, who shall be sworn for the faithful discharge of their duty; and such appraisalment shall be made at the expense of the party on whose prayer it is granted; and on the return of such appraisalment, if the claimant shall, with one or more sureties, to be approved by the court, execute a bond

Penalties accruing, &c. to be recovered in the name of the United States, or of the collector, &c.

The trial of any fact to be within the judicial district, &c.

The collector to cause suits to be prosecuted, receive the sums recovered, distribute, and transmit quarterly accounts thereof to the commissioner of the revenue.

Goods, &c. forfeited, to be seized and prosecuted for, &c.

The court to cause 14 days' notice to be given of the seizure, &c.

If no person appears, &c. the court is to proceed to hear and determine, &c.

Upon prayer, &c. the court to appoint appraisers, and upon bond, &c. the goods, &c. to be delivered to the claimant, &c.

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If judgment pass for the claimant, the bond to be cancelled; otherwise, judgment to be granted on the bond, &c.

If there was reasonable cause of seizure the claimant will not be entitled to costs; nor, &c.

Proviso: goods, &c. after judgment, to be returned, &c. Proviso: actions, &c. to be commenced within a year; or, &c.

Goods, &c. condemned, &c. to be sold at public auction, by the marshal, &c. notice: being first given, &c.

The amount of sales, deducting charges, to be paid to the clerk of the court, &c.

The foregoing provisions to be applicable to all acts heretofore or hereafter passed, &c.

in the usual form, to the United States, for the payment of a sum equal to the sum at which the articles, so prayed to be delivered, are appraised, which bond shall be lodged with the proper officer of the court, the said court shall order the said articles to be delivered to the said claimant; and if judgment shall pass in favor of the claimant, the said bond shall be cancelled; but if judgment shall pass against the claimant, as to the whole, or any part, of such articles, and the claimant shall not, within twenty days thereafter, pay into the court, or to the proper officer thereof, the amount of the appraised value of such articles so condemned, with the costs, judgment shall and may be granted upon the bond without further delay. And where any prosecution shall be commenced on account of the seizure of any such goods, wares, and merchandise, or other objects, and judgment shall be given for the claimant, if it shall appear to the court before whom such prosecution shall be tried, that there was reasonable cause of seizure, the said court shall cause a proper certificate or entry to be made thereof, and in such case the claimant shall not be entitled to costs, nor shall the person who made the seizure, or the prosecutor, be liable to action, suit, or judgment, on account of such seizure and prosecution: *Provided*, That the said goods, wares, and merchandise, or other objects, be, after judgment, forthwith returned to such claimant, or his agent: *And provided*, That no action or prosecution shall be maintained in any case under this act, or any act relative to internal duties, unless the same shall have been commenced within one year after the penalty or forfeiture was incurred, or within the time in such act prescribed, as the case may be.

SECT. 15. *And be it further enacted*, That all goods, wares, or merchandise, or other objects, which shall be condemned by virtue of this act, or of any other act relative to internal duties, and for which bond shall not have been given by the claimant, agreeably to the provisions for that purpose in the foregoing section, shall be sold by the marshal, or other proper officer of the court before whom condemnation shall be had, to the highest bidder, at public auction, by order of such court, and at such place as the said court may appoint, giving at least fifteen days' notice, (except in case of perishable goods,) in one or more of the public newspapers of the place where such sale shall be; or if no paper is published in such place, in one or more of the papers published in the nearest place thereto; for which advertising a sum not exceeding five dollars shall be paid. And the amount of such sales, deducting all proper charges, shall be paid within ten days after such sale, by the person selling the same, to the clerk, or other proper officer, of the court, directing such sale, to be by him, after deducting the charges allowed by the court, paid to the collector of the district in which such seizure or forfeiture has taken place, as hereinbefore directed.

SECT. 16. *And be it further enacted*, That the foregoing provisions of this act shall be applicable, in all respects, as well to all acts that may hereafter be passed, relative to internal duties, as to those heretofore passed and now in force.

**SECT. 17.** *And be it further enacted,* That any collector or his deputy, who shall directly or indirectly take or receive any bribe, reward, or recompense, for conniving, or shall connive, at any false entry, application, report, account, or statement, required to be made or rendered by any act relative to internal duties, and shall be convicted thereof, shall forfeit and pay a sum not less than two hundred, nor more than two thousand, dollars for each offence: and any person giving or offering any bribe, reward, or recompense, for any such deception, collusion, or fraud, shall forfeit and pay a sum not less than two hundred, nor more than two thousand, dollars, for each offence; one moiety whereof shall be for the use of the informer, and the other moiety for the use of the United States.

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From 200 to 2,000 dolls. forfeiture by collectors for receiving bribes for conniving, &c. at false entries, &c.

Persons giving bribes, &c. to forfeit from 200 to 2,000 dolls.

A moiety to the informer, &c.

**SECT. 18.** *And be it further enacted,* That on all bonds given for internal duties, an interest shall be paid, at the rate of six per centum per annum, from the time when said bonds became due until the payment thereof.

Interest on bonds for internal duties from the time they are due, &c.

**SECT. 19.** *And be it further enacted,* That any person, to whom a license for a still, or boiler, or other vessel used in the distillation of spirituous liquors, may have been, or may hereafter be, granted, who shall so alter the same as to increase its capacity, on application in writing to the collector who issued the said license, stating such increase of capacity, and on paying or securing, previous to using the same, the duty arising thereon for the unexpired period of the license, at the rate of duty prescribed for such term for which a license may be granted as is next below such period, shall be authorized to employ the still, boiler, or other vessel, so altered, on adducing the said license, and obtaining an endorsement thereon, under the hand of the said collector, which he is hereby required to make, specifying such increase of capacity, and that the duty thereon has been paid or secured.

Persons to whom licenses for stills have been granted, and who alter and increase the capacity of them, on application, payment, &c. may be authorized to employ such stills, &c.

**SECT. 20.** *And be it further enacted,* That any person who shall, after the thirtieth day of June next, erect, or cause to be erected, any still, or boiler, or other vessel used or intended to be used in the distillation of spirituous liquors, or who shall so use any still, or boiler, or other vessel, in any part of the United States beyond the then existing boundary line established by law between the United States and the Indian tribes, or who shall be the owner, agent, or superintendent, thereof, shall forfeit and pay the sum of five thousand dollars, together with the said still, boiler, or other vessel, and the spirits distilled therein; one moiety of which shall be for the use of the informer, and the other for the use of the United States. And for any violations hereof, the same course may and shall be pursued that is prescribed by the act passed the thirtieth of March, one thousand eight hundred and two, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers,"\* for violations thereof; and the courts specified therein shall have like jurisdiction. And the same authority that is given by the said act to apprehend and remove persons found in violation thereof, shall apply and extend to the said

Persons erecting stills, &c. after the 30th June, 1815, beyond the Indian boundary line, &c. to forfeit 5,000 dolls. together with the stills, boilers, &c.

A moiety to the informer, &c.

Course to be pursued for violations of the provisions of this section.

[\* Chap. 275. vol. 3.]

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Spirits distilled beyond the Indian boundary line, and brought within a collection district, to be forfeited, and the person fined 1,000 dollars. A moiety to the informer, &c.

Proviso: persons removing stills from one district to another, not to take out another license during, &c.

Collectors, &c. to prosecute for breaches of the two preceding sections.

Nothing in the act imposing a duty on sales at auction, &c. to apply to goods, &c. other than merchandise.

stills, boilers, or other vessels, and the spirits distilled therein, which may be seized and removed in like manner. And all spirits which shall have been, or which hereafter shall be, so distilled, beyond the said boundary line, which shall be brought into the limits of a collection district, may and shall be seized and forfeited, and the person so introducing the same shall, moreover, forfeit and pay one thousand dollars; one moiety of which shall be for the use of the informer, and the other for the use of the United States: *Provided, nevertheless*, That no person who shall have removed his still out of one collection district into another, shall be liable to take out another license during the period of any existing license obtained for the same.

SECT. 21. *And be it further enacted*, That it shall be the duty of the collectors of the direct tax and internal duties, to prosecute for breaches of the provisions contained in the two preceding sections.

SECT. 22. *And be it further enacted*, That nothing contained in the act or acts imposing a duty on sales at auction of goods, wares, and merchandise, shall be construed to apply to the sale of any goods or chattels other than merchandise.

[*Approved, March 3, 1815.*]

CHAP. 782. An act to vest more effectually in the state courts, and in the district courts of the United States, jurisdiction in the cases therein mentioned.

SECT. 1. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled*, That the respective state or county courts within or next adjoining a collection district, established by any act of congress now in being, or hereafter to be passed, for the collection of any direct tax or internal duties of the United States, shall be, and are hereby, authorized to take cognizance of all complaints, suits, and prosecutions, for taxes, duties, fines, penalties, and forfeitures, arising and payable under any of the acts passed, or to be passed, as aforesaid, or where bonds are given under the said acts; and the district attorneys of the United States are hereby authorized and directed to appoint, by warrant, an attorney, as their substitute or deputy, in all cases where necessary to sue or prosecute for the United States, in any of the said state or county courts, within the sphere of whose jurisdiction the said district attorneys do not themselves reside or practise; and the said substitute or deputy shall be sworn or affirmed to the faithful execution of his duty.

SECT. 2. *And be it further enacted*, That the jurisdiction conferred by the foregoing section shall be considered as attaching, in the cases therein specified, without regard to the amount or sum in controversy, and that it shall be concurrent with the jurisdiction of the district courts of the United States; but may, nevertheless, be exercised in cases where the fine, penalty, or forfeiture, may have been incurred, or the cause of action or complaint have arisen, at a less, as well as a greater, distance than

State or county courts to take cognizance of complaints, suits, &c. for taxes, duties, fines, &c. under any act of congress, &c.

District attorneys to appoint deputies, &c.

Deputy attorneys to be sworn, &c.

The jurisdiction conferred, to attach without regard to the sum in controversy; to be concurrent, &c. &c.

fifty miles from the nearest place by law established for the holding of a district court of the United States. But in all suits or prosecutions instituted by or on behalf of the United States in any state or county court, the process, proceedings, judgment, and execution, therein shall not be delayed, suspended, or in any way barred or defeated, by reason of any law of any state authorizing or directing a stay or suspension of process, proceedings, judgment, or execution: *Provided*, That final decrees and judgments in civil actions, passed or rendered in any state court by virtue hereof, may be re-examined in the circuit court of the United States, in the same manner, and under the same limitations, as are prescribed by the twenty-second section of the act to establish the judicial courts of the United States, passed the twenty-fourth of September, seventeen hundred and eighty-nine.\*

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In all suits, &c. in a state or county court, &c. the proceedings, &c. are not to be delayed by reason of any law of a state, &c.

Provide; final decrees and judgments, in civil actions, may be re-examined in the circuit court, &c.

[\* See ch. 20, vol. 2.]

SECT. 3. *And be it further enacted*, That the state or county courts aforesaid, and the principal or presiding judge of any such court, shall be, and are hereby, authorized to exercise all and every power, in cases cognizable before them by virtue of this act, for the purpose of obtaining a mitigation or remission of any fine, penalty, or forfeiture, which may be exercised by the judges of the district courts of the United States, in cases brought before them by virtue of the law of the United States, passed on the third of March, one thousand seven hundred and ninety-seven, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned;"† and in the exercise of the authority by this section given to the said state or county courts, or the principal or presiding judge as aforesaid, they shall be governed, in every respect, by the provisions of the law last mentioned, with this difference only, that instead of notifying the district attorneys of the United States, the said courts, or the presiding judge as aforesaid, shall, before exercising said authorities, cause reasonable notice to be given to the substitute or deputy, who may have been appointed to sue or prosecute for the United States, as aforesaid, that he may have an opportunity of showing cause against the mitigation or remission of such fine, penalty, or forfeiture.

The state or county courts, and principal judge, authorized, &c. in cases cognizable by virtue of this act, to exercise the powers conferred on district judges by the act to provide for mitigating or remitting forfeitures, penalties, &c.

[† See ch. 161, vol. 2.]

SECT. 4. *And be it further enacted*, That the district court of the United States shall have cognizance, concurrent with the courts and magistrates of the several states, and the circuit courts of the United States, of all suits at common law, where the United States, or any officer thereof, under the authority of any act of congress, shall sue, although the debt, claim, or other matter in dispute, shall not amount to one hundred dollars. [Approved, March 3, 1815.]

The district court to have cognizance concurrent, &c. of all suits at common law, where, &c. although the debt, &c. does not amount to 100 dollars.

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## RESOLUTIONS.

[No. 1.] Resolutions, expressive of the sense of congress of the gallant conduct of captain Thomas Macdonough, the officers, seamen, marines, and infantry serving as marines, on board the United States' squadron on lake Champlain.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That the thanks of congress be, and the same are hereby, presented to captain Thomas Macdonough, and, through him, to the officers, petty officers, seamen, marines, and infantry serving as marines, attached to the squadron under his command, for the decisive and splendid victory gained on lake Champlain, on the eleventh of September, in the year one thousand eight hundred and fourteen, over a British squadron of superior force.

The thanks of congress presented to capt. Macdonough, officers, seamen, &c. for the splendid victory on lake Champlain, &c.

Gold medals to capt. Macdonough and Henly, and lieu. Cassin; a silver medal to each commissioned officer, and a sword to the midshipmen, &c.

*Resolved,* That the president of the United States be requested to cause gold medals to be struck, emblematical of the action between the two squadrons, and to present them to captain Macdonough and captain Robert Henly, and also to lieutenant Stephen Cassin, in such manner as may be most honorable to them; and that the president be further requested to present a silver medal, with suitable emblems and devices, to each of the commissioned officers of the navy and army serving on board, and a sword to each of the midshipmen and sailing masters, who so nobly distinguished themselves in that memorable conflict.

A silver medal to the nearest male relative of lieut. Gamble and Stansbury, &c.

*Resolved,* That the president of the United States be requested to present a silver medal, with like emblems and devices, to the nearest male relative of lieutenant Peter Gamble, and of lieutenant John Stansbury, and to communicate to them the deep regret which congress feel for the loss of those gallant men, whose names ought to live in the recollection and affection of a grateful country.

Three months' pay additional to the petty officers, seamen, &c.

*Resolved,* That three months' pay be allowed, exclusively of the common allowance, to all the petty officers, seamen, marines, and infantry serving as marines, who so gloriously supported the honor of the American flag on that memorable day.

[Approved, October 20, 1814.]

[No. 2.] Resolution, expressive of the sense of congress relative to the victory of the Peacock over the Epervier.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be requested to present to captain Lewis Warrington, of the sloop of war Peacock, a gold medal, with suitable emblems and devices, and a silver medal, with like emblems and devices, to each of the commissioned officers, and a sword to each of the midshipmen, and to the sailing master, of the said vessel, in testimony of the high sense entertained by congress of the gallantry and good conduct of the officers and

A gold medal to capt. Warrington; a silver medal to each commissioned officer, and a sword to the midshipmen, &c. in testimony of their good conduct in the action with the British brig Epervier, &c.

crew, in the action with the British brig *Epervier*, on the twenty-ninth day of April, in the year one thousand eight hundred and fourteen, in which action the decisive effect and great superiority of the American gunnery were so signally displayed.

[Approved, October 21, 1814.]

[No. 3.] Resolution, empowering the joint library committee of congress to contract for the purchase of Mr. Jefferson's library.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That the joint library committee of the two houses of congress be, and they are hereby, authorized and empowered to contract, on their part, for the purchase of the library of Mr. Jefferson, late president of the United States, for the use of both houses of congress; and that the committee lay the terms of said contract before congress, for their ratification. [Approved, October 21, 1814.]

The joint library committee of congress empowered to contract for the purchase of the library of Mr. Jefferson, &c.

[No. 4.] Resolution, expressive of the sense of congress relative to the capture of the British sloop *Reindeer*, by the American sloop *Wasp*.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That the president of the United States be requested to present to captain Johnston Blakely, of the sloop *Wasp*, a gold medal, with suitable devices, and a silver medal, with like devices, to each of the commissioned officers, and also a sword to each of the midshipmen, and the sailing master, of the aforesaid vessel, in testimony of the high sense entertained by congress of the gallantry and good conduct of the officers and crew, in the action with the British sloop of war *Reindeer*, on the twenty-eighth of June, in the year one thousand eight hundred and fourteen; in which action determined bravery and cool intrepidity, in nineteen minutes, obtained a decisive victory, by boarding. [Approved, November 3, 1814.]

A gold medal to capt. Blakely; a silver medal to each commissioned officer, and a sword to each midshipman, &c. in testimony of their gallantry, &c. in the action with the British sloop of war *Reindeer*, &c.

[No. 5.] Resolutions, expressive of the sense of congress of the gallantry and good conduct with which the reputation of the arms of the United States has been sustained by major general Brown, major general Scott, major general Porter, major general Gaines, major general Macomb, and brigadiers Ripley and Miller.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That the thanks of congress be, and they are hereby, presented to major general Brown, and, through him, to the officers and men, of the regular army, and of the militia, under his command, for their gallantry and good conduct in the successive battles of Chippewa, Niagara, and Erie, in Upper Canada, in which British veteran troops were beaten and repulsed by equal or inferior numbers; and that the president of the United States be requested to cause a gold me-

The thanks of congress to gen. Brown, his officers and men, for their gallantry, &c. at Chippewa, Niagara, and Erie, &c.

A gold medal to gen. Brown.



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dal to be struck, emblematical of these triumphs, and presented to major general Brown.

A gold medal  
to gen. Scott,  
&c.

*Resolved*, That the president of the United States be requested to cause a gold medal to be struck, with suitable emblems and devices, and presented to major general Scott, in testimony of the high sense entertained by congress of his distinguished services in the successive conflicts of Chippewa, and Niagara, and of his uniform gallantry and good conduct in sustaining the reputation of the arms of the United States.

Gold medals to  
gens. Ripley,  
Miller, and  
Porter, &c.

*Resolved*, That the president of the United States be requested to cause gold medals to be struck, with suitable emblems and devices, and presented to brigadier general Ripley, brigadier general Miller, and major general Porter, in testimony of the high sense entertained by congress of their gallantry and good conduct in the several conflicts of Chippewa, Niagara, and Erie.

The thanks of  
congr. to gen.  
Gaines, officers,  
and men, &c.

*Resolved*, That the thanks of congress be, and they are hereby, presented to major general Gaines, and, through him, to the officers and men under his command, for their gallantry and good conduct, in defeating the enemy at Erie on the fifteenth of August; repelling, with great slaughter, the attack of a British veteran army, superior in number; and that the president of the United States be requested to cause a gold medal to be struck, emblematical of this triumph, and presented to major general Gaines.

A gold medal to  
gen. Gaines.

The thanks of  
congr. to gen.  
Macomb, offi-  
cers, and men,  
and to the mi-  
litia, &c.

*Resolved*, That the thanks of congress be, and they are hereby, presented to major general Macomb, and, through him, to the officers and men of the regular army under his command, and to the militia and volunteers of New York and Vermont, for their gallantry and good conduct in defeating the enemy at Plattsburg, on the eleventh of September; repelling, with one thousand five hundred men, aided by a body of militia and volunteers from New York and Vermont, a British veteran army, greatly superior in number; and that the president of the United States be requested to cause a gold medal to be struck, emblematical of this triumph, and presented to major general Macomb. [*Approved, November 3, 1814.*]

A gold medal to  
gen. Macomb.

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[No. 6.] Resolution, requesting the president of the United States to recommend a day of public humiliation, fasting, and prayer.

Motive of the  
request.

It being a duty, peculiarly incumbent in a time of public calamity and war, humbly and devoutly to acknowledge our dependence on Almighty God, and to implore his aid and protection: Therefore,

A joint commit-  
tee to wait on  
the president,  
and request that  
he recommend a  
day of public hu-

*Resolved, by the senate and house of representatives of the United States of America in congress assembled*, That a joint committee of both houses wait on the president of the United States, and request that he recommend a day of public humiliation, prayer, and fasting, to be observed by the people of the United States with religious solemnity, and the offering of fervent sup-

plications to Almighty God for the safety and welfare of these states, his blessing on their arms, and a speedy restoration of peace. [Signed, Langdon Cheves. E. Gerry.]

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militation,  
prayer, and  
fasting, &c.

[No. 7.] Resolution, for furnishing the American Antiquarian Society with a copy of the journals of congress, and of the documents published under their order.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That one copy of the public journals of the senate and of the house of representatives, and of the documents published under the orders of the senate and house of representatives, respectively, which have been, or shall be, published by virtue of a resolution of the senate and house of representatives, passed at the last session of congress, be transmitted to the executive of the commonwealth of Massachusetts, for the use and benefit of the American Antiquarian Society of said commonwealth.

A copy of the public journals of congress, &c. to be transmitted to the executive of Massachusetts, for the use of the American Antiquarian Society, &c.

[Approved, December 1, 1814.]

[No. 8.] Resolutions, expressive of the high sense entertained by congress of the patriotism and good conduct of the people of Louisiana and of New Orleans, during the late military operations before that city.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled,* That congress entertain a high sense of the patriotism, fidelity, zeal, and courage, with which the people of the state of Louisiana promptly and unanimously stepped forth, under circumstances of imminent danger from a powerful invading army, in the defence of all the individual, social, and political, rights, held dear by man. Congress declare and proclaim that the brave Louisianians deserve well of the whole people of the United States.

Congress entertain a high sense of the patriotism, &c. with which the people of Louisiana stepped forth, &c. The brave Louisianians deserve well, &c.

*Resolved,* That Congress entertain a high sense of the generosity, benevolence, and humanity, displayed by the people of New Orleans, in voluntarily affording the best accommodations in their power, and giving the kindest attentions, to the wounded, not only of our own army, but also to the wounded prisoners of a vanquished foe.

Congress entertain a high sense of the humanity of the people of New Orleans, &c.

*Resolved,* That the president of the United States be requested to cause the foregoing resolutions to be communicated to his excellency, the governor of Louisiana, accompanied with a request that he cause the greatest possible publicity to be given to them, for the information of the whole people of Louisiana.

The president requested to cause the preceding resolutions to be communicated to the governor of Louisiana, &c.

[Approved, February 22, 1815.]

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[No. 9.] Resolutions, expressive of the high sense entertained by congress of the gallantry and good conduct of Commodore D. T. Patterson, and Major D. Carmick, and of the officers, seamen, and marines, under their command, in the defence of New Orleans.

Congress entertain a high sense of the valor, &c. of commodore Patterson, officers, and men, &c.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled, That congress entertain a high sense of the valor and good conduct of commodore D. T. Patterson, of the officers, petty officers, and seamen, attached to his command, for their prompt and efficient co-operation with general Jackson, in the late gallant and successful defence of the city of New Orleans, when assailed by a powerful British force.*

Congress entertain a high sense of the valor, &c. of major Carmick, officers, and marines, &c.

*Resolved, That congress entertain a high sense of the valor and good conduct of major Daniel Carmick, of the officers, non-commissioned officers, and marines, under his command, in the defence of the said city, on the late memorable occasion.*

*[Approved, February 22, 1815.]*

[No. 10.] Resolutions, expressive of the thanks of Congress to major general Jackson, and the troops under his command, for their gallantry and good conduct in the defence of New Orleans.

The thanks of congress to gen. Jackson, officers, militia, and volunteers, &c.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled, That the thanks of congress be, and they are hereby, given to major general Jackson, and, through him, to the officers and soldiers of the regular army, of the militia, and of the volunteers, under his command, the greater proportion of which troops consisted of militia and volunteers, suddenly collected together, for their uniform gallantry and good conduct, conspicuously displayed against the enemy, from the time of his landing before New Orleans until his final expulsion therefrom; and particularly for their valor, skill, and good conduct, on the eighth of January last, in repulsing, with great slaughter, a numerous British army, of chosen veteran troops, when attempting, by a bold and daring attack, to carry by storm the works hastily thrown up for the protection of New Orleans; and thereby obtaining a most signal victory over the enemy, with a disparity of loss, on his part, unexampled in military annals.*

A gold medal to gen. Jackson, &c.

*Resolved, That the president of the United States be requested to cause to be struck, a gold medal, with devices emblematical of this splendid achievement, and presented to major general Jackson, as a testimony of the high sense entertained by congress of his judicious and distinguished conduct on that memorable occasion.*

The president requested to cause the preceding resolutions to be communicated to gen. Jackson, &c.

*Resolved, That the president of the United States be requested to cause the foregoing resolutions to be communicated to major general Jackson, in such terms as he may deem best calculated to give effect to the objects thereof.*

*[Approved, February 27, 1815.]*

[No. 11.] A resolution, directing the manner of providing stationery, and procuring the printing, for the senate and house of representatives.

1815.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled, That the secretary of the senate and the clerk of the house of representatives be directed, immediately after the adjournment of the present, and each succeeding, congress, to advertise, three weeks successively, in two newspapers printed in the district of Columbia, for proposals for supplying the senate and house of representatives, during the succeeding congress, with the necessary stationery and printing; which advertisement shall describe the kind of stationery and printing required; and that the proposals to be made be accompanied with sufficient security for their performance. And it shall be the duty of the secretary and clerk aforesaid, in the month of April thereafter, to notify the lowest bidder or bidders (whose securities are deemed sufficient) of the acceptance of his or their proposals: *Provided*, That this resolution shall not be so construed, as to prevent the secretary and clerk aforesaid from contracting for separate parts of the supplies of stationery and printing required to be furnished.*

The secretary and clerk to advertise for proposals for supplying the senate and house with stationery and printing, &c.

The lowest bidder to be notified, &c.

Provide; the secretary and clerk may contract for separate parts of the supplies, &c.

[*Approved, March 3, 1815.*]

[No. 12.] Resolutions relative to the distribution of the laws of the United States.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled, That the secretary of state cause to be distributed, among the members of the present congress, copies of the laws of the United States, ordered by law to be printed, as soon as the same shall be completed.*

*Resolved, That so many of the remaining copies of the laws as are not already directed to be distributed, be deposited in the congressional library.* [*Approved, March 3, 1815.*]

Copies of the laws ordered to be printed to be distributed among the members of the 13th congress, &c.

The remaining copies to be deposited in the congressional library.

[No. 13.] Resolution, for the appointment of a joint committee to wait upon the president, and request that he recommend a day of thanksgiving to Almighty God, for restoring to these United States the blessing of peace.

*Resolved, by the senate and house of representatives of the United States of America in congress assembled, That a joint committee of both houses wait upon the president of the United States, and request that he recommend a day of thanksgiving, to be observed by the people of the United States, with religious solemnity, and the offering of devout acknowledgments to Almighty God, for his great goodness, manifested in restoring to these United States the blessing of peace.*

A joint committee to wait upon the president, and request him to recommend a day of thanksgiving, &c. to Almighty God for restoring the blessing of peace, &c.

[*Signed, Langdon Cheves. John Gaillard.*]



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